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Legion of Decency

By
Francis J. Connell, C.SS.R.

(Reprinted by Popular Demand)

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ARK OF THE COVENANT

One of the most meaningful and inspiring titles given to the Blessed Virgin Mary in the Litany of Loreto is "Ark of the Covenant"—*Foederis Arca.* In this we have an excellent example of the Christian custom of applying to a person or event in the New Dispensation something related in the Old Testament—a perfectly justifiable custom in view of the fact that what preceded Christ was intended to foreshadow Him and the religion He was to establish. In the Book of Exodus we read that in the early portion of the period which the children of Israel spent in their wanderings about the desert on their way to the promised land, the Almighty commanded Moses to have constructed a chest in which was to be preserved the testimony which God was to give His people. Very explicit details were revealed as to the material and method of its construction, the size of the chest and its adornments. It was to be made of the wood known as setim, which we are told is a species of acacia—a well-nigh incorruptible wood. Inside and outside, the box was to be covered with the purest gold; and it was to be surmounted by the images of two angels, facing each other over the propitiatory (surmounting the chest), whence God would speak to His people. Golden rings were fastened to the four corners, so that poles could be inserted and the priests could carry it from place to place.[1] The law of God insisted that only consecrated persons should be allowed to touch the receptacle. When a layman called Oza put his hand on it to keep it from falling, the wrath of God smote him and he died.[2] This wooden case was known by various names—the Ark of God,[3] the Ark of the Lord[4]—but the most usual name was the Ark of the Covenant, since its primary purpose was to contain the written covenant between God and His chosen people.[5]

The Ark was constructed, by the explicit choice of the Most High, by Beseleel and Ooliab, into whose hearts God put wisdom "that they may make all things which I have commanded thee" as

[1] *Exodus,* 25:10-22.
[2] *II Kings,* 6:6-7.
[3] *II Kings,* 3:3.
[4] *II Kings,* 4:6.
[5] e.g., *Josue,* 3:14.

the Lord said to Moses.[6] As the most sacred object of Jewish liturgical cult, it was held in great veneration by the people. It was from the propitiatorium above the Ark that God chose to speak to His children.[7] In the days when the people of Israel were wandering in the desert, the Ark was sheltered in a tabernacle, or tent, described in minute detail by God,[8] but when Solomon built his temple, the Ark was placed therein in the place of highest honor.[9] However, after 587 B.C., the Ark disappeared, when Jerusalem fell to the Persians, and although the Second Book of Macchabees quotes a letter from the Jews of Jerusalem to their brethren in Egypt, narrating that the Prophet Jeremias had concealed the Ark in a cave,[10] we cannot be sure of the inspiration of this quotation. At any rate, the Ark is never mentioned as included among the appurtenances of the second temple. There was a common tradition among the rabbis that the Ark had been hidden and would be found at the coming of the Messias.[11]

The Ark of the Covenant has furnished Christian writers with many opportunities to apply the things of the Old Law to those of the New, the figures to the realities. St. Thomas Aquinas draws several detailed parallels between the Ark and things of the Christtian Dispensation, including Our Lord Himself.[12] However, in the course of time the Ark of the Covenant has become chiefly a figure of the Blessed Virgin Mary, and accordingly it was incorporated into the Litany of Loreto as one of the invocations of that beautiful prayer when it was drawn up in the sixteenth century. It is placed in conjunction with other invocations with allusions to the Old Testament—Mystical Rose, Tower of David, Tower of Ivory and House of Gold.

It is very clear that this title is most suitable to the Blessed Virgin Mary, for there are many points of resemblance between the Ark of the Covenant and the Mother of God. The Ark of the Covenant was designated by God Himself as the receptacle for the holiest message given by the Almighty to the world before the

[6] *Exodus*, 31:6.
[7] *Exodus*, 25:22.
[8] *Exodus*, 26:1-37.
[9] *III Kings*, 6:19.
[10] *II Macc.*, 2:4-8.
[11] C. Souvay, "Ark," *The Catholic Encyclopedia*, Vol. I, 724.
[12] *Summa*, I-II, Q. 102, art. 4 ad 6.

Christian revelation, the written testimony between the Most High and His chosen people. It contained the words of God Himself, manifesting His love and care for the children of Abraham. Mary was chosen by God to be the receptacle of the Word made flesh, the most outstanding proof in the history of the world of God's love and care for mankind—not merely one race, but all the children of Adam. The Old Testament Ark was fashioned of the most precious and incorruptible materials—setim wood and gold—by the most skilful craftsmen of the Jewish people, to whom God gave supernatural wisdom and artistic ability. Mary was the masterpiece of God Himself, radiant in soul because of her Immaculate Conception and plenitude of grace, incorruptible in body through the privilege of her Assumption. As the cherubim spread their wings over the ancient Ark, so the angels guarded and protected the Ark of the New Law, happy to serve her who was destined to be the Mother of their King. Unlike the Ark of ancient days, Mary did not pass out of existence, but continues to hold for all eternity her place of holiness and power.

The Epistle to the Hebrews asserts that the Ark of the Covenant enclosed two other objects besides the tables of the testament—a golden jar containing some of the manna that had fallen from heaven for the nourishment of the Jewish people as they wandered in the desert,[13] and the rod of Aaron which had blossomed.[14] This assertion furnishes an opportunity for another striking parallel between the Ark of the Covenant and Mary. For nine months her chaste womb was the abode of Him to Whom the Church attributes the threefold dignity of Prophet, Priest and King, all of which offices He possessed from the first moment of His conception. Now, the prophetic office was aptly represented by the tables of the law, God's chief message to His people; the priestly function found its apt symbol in the jar of manna that descended from heaven to nourish the people of God, just as Christ Himself descends from heaven to give spiritual nourishment to the faithful under the appearances of bread; the kingly office of Our Lord was portrayed by the rod of Aaron, bearing the appearance of a scepter.

Another feature of the Ark of the Covenant, definitely applicable to Mary, and related in various parts of the Old Testament, was

[13] *Exodus*, 16:15.
[14] *Numbers*, 17:8.

its efficacy to bring victory in battle. When the people of Israel marched against their foes, the priests bore the Ark on their shoulders, as a visible sign of God's protection; and their confidence was rewarded by extraordinary triumphs. Thus, when the Israelites on their march to the promised land came to the hostile city of Jericho, God commanded that the Ark be carried by the priests around the walls for seven days, and then the walls crumbled at the sound of the trumpets.[15] In like manner, Catholics believe that in the arduous battle for eternal salvation, amid the onslaughts of temptation, Mary will afford protection and strength by her intercession with the Most High.

Finally, when we invoke Our Lady as Ark of the Covenant, we are reminded of the beautiful axiom, *Per Mariam ad Jesum.* It was through the Ark that the Jews came into the most intimate contact with the Almighty. And it was through the propitiatorium, topping the Ark, that God spoke to His people. Through Mary we can best come into loving association with Jesus. We know that she is a mere creature, just as the Jews knew that the Ark of the Covenant was merely a wooden chest. Nevertheless, in the Old Law God chose this created object to be the channel and the instrument of His favors to His people, and in the presence of the Ark they had the assurance that they were in the presence of God Himself. So, too, in the New Law, He has chosen a woman to be the best means of our approach to Him, the most effective instrument of the graces we need in our earthly pilgrimage. Indeed, it is a sound theological opinion that Mary is the Mediatress of all grace, ever subject to the mediatorship par excellence of Jesus Christ. And so, when we go to her in our needs, it is with the knowledge that we are also in the presence of God Himself, and that her intercession with her Son is the best assurance that our prayer will be heard. *Foederis Arca, ora pro nobis.*

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[15] *Josue,* 6:2-21.

CONFESSION AND THE COURTS

To Catholics the secrecy of confession is commonplace—something so well established that thought about it seems unnecessary. Yet an inquiry into the doctrine of the Seal of Confession (as it is referred to in canon law) or the priest-penitent privilege (as it is characterized by English and American courts) reveals that, though it is ancient in Church history, it remains an ever-intriguing one for theologians and canonists. At the same time we discover that the question is one with which law courts have been concerned from their earliest history; which legislatures have acted upon; and which forms an important segment of the law of evidence.

Canon 889 of the Code of Canon Law affirms the inviolability of the seal of confession and admonishes the confessor to be most careful lest by word or sign or any other manner and for whatever reason, he betray the sinner in any way. Canon 2361 provides that the confessor who directly violates the sacramental seal is excommunicated with an excommunication reserved in a very special manner to the Holy Apostolic See. The confessor who violates it indirectly is subjected to the penalties mentioned in Canon 2368, namely, he is prohibited from saying Mass or hearing confessions, he is deprived of all benefices and dignities, and in the more serious cases he is subjected to degradation.

This is more fully explained by Father Kurtscheid, who says:

> The Seal of Confession, therefore, extends to all those communications the revelation of which would lower the penitent in the estimation of others and thus deter him from the Sacrament of Penance. To this category . . . belong in the first place the actual sins of the penitent, no matter whether they be grievous or venial. These, in so far as they are objects of sacramental accusation, according to St. Thomas, fall *directly* under the Seal. That which is not the object of accusation, but, if revealed, would more or less cause the accusation to be known, falls under the Seal *indirectly*.[1]

Canonists are in agreement that Our Lord intended both secret confession and the seal since, were confession of sins to be public,

[1] Bertrand Kurtscheid, O.F.M., *A History of the Seal of Confession* (St. Louis: B. Herder Book Co., 1927), p. 266.

sinners would be likely to abstain from confessing and receiving the sacrament of Penance.

The obligation of the seal is deduced not only from ecclesiastical law but also from the divine and natural law. Were it based solely on ecclesiastical law the Pope could dispense from the obligation —something which he may, in fact, never do.[2] The natural law basis of the seal "dictates that every man must respect the good name of his fellowmen and not reveal their faults without a grave cause," while the positive divine law basis is inferred from the reasonable assumption that Christ, by instituting Penance, did not wish to impose an insupportable burden.[3]

Duns Scotus argued, not unreasonably, that the penitent cannot dispense the confessor from his obligation of silence, for the right of all Christians to the secrecy of confession cannot be waived by any individual. Moreover, although the seal was instituted for the benefit of the individual, the latter has no power to waive it since it is based on natural, divine and ecclesiastical law.[4] It is the view of the majority of canonists, however, that the penitent may release the confessor from the obligation of the Seal, except that, even with the consent of the penitent, his confessor cannot testify in an ecclesiastical court regarding information obtained through sacramental confession.[5]

Generally speaking, the principles of canon law regarding the inviolability of the Seal of Confession were recognized by continental governments during the Middle Ages, and the Reformation and French Revolution brought about no radical change.[6] As to England, however, whence the United States derived its system of common law:

> The bitter animus of the English government toward the Church found legal expression in the drastic penal laws which struck at the heart of the Roman Catholic religion and even rendered Catholic belief and practices criminal. In such an historical setting, no occasion for surprise is found in the constant ruling of the English Common Law against the existence of the privilege of secrecy in confession, con-

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[2] *Ibid.*, pp. 245, 270 f.
[3] *Ibid.*, pp. 282 f.
[4] *Ibid.*, p. 288.
[5] *Ibid.*, pp. 291, 300.
[6] *Ibid.*, pp. 315, 333 f.

stituting as it did one of the sacraments of the outlawed Catholic Church.[7]

Wigmore, a recognized authority on the law of evidence, raises the question whether the penitential relation deserves recognition and countenance and concludes:

> In a State where toleration of religions exists by law, and where a substantial part of the community professes a religion practising a confessional system, this question must be answered in the affirmative.[8]

He observes that the injury to the penitential relation by compulsory disclosure would be greater than the benefit to justice, saying:

> This species of evidence . . . ought in no system of law to be relied upon as a chief material of proof; for it tempts prosecutors to lack of diligence and thoroughness in the investigation of the entire case against an accused. In criminal cases, it would be impolitic to encourage a resort to this too facile channel of confessions. In civil cases, the ordinary process of discovery upon oath would be a sufficient equivalent.[9]

Just what protection has the law in our country afforded the seal of confession? In order that the reader may be aware of how our courts and legislatures have dealt with this matter, there will follow an analysis of decisions (only those cases involving Catholic priests will be discussed, because those in which non-Catholic clergy sought to invoke the privilege would have to be considered in the light of the very different religious discipline to which non-Catholics are subject) and of state statutes giving legal effect to the priest-penitent privilege.[10]

Legal recognition of the priest-penitent relationship came about through an early New York case,[11] decided in the Court of Gen-

[7] Robert J. White, "Confession and the Law," in *AER*, XCVII, 2, 3, 4 (Aug., Sept., Oct., 1937), 113-32, 241-57, 377-80.

[8] *Wigmore on Evidence*, 3rd edition, VIII, 849.

[9] *Ibid.*, VIII, 850.

[10] In law, information which one person derives from another by reason of a confidential relationship existing between the parties is *privileged.* It may not be revealed on the witness stand except under well defined circumstances.

[11] *The Catholic Question in America (Whether a Roman Catholic Clergyman be in any Case compellable to disclose the Secrets of Auricular*

eral Sessions in New York City, court being composed of Mayor De Witt Clinton, Recorder Josiah Ogden Hoffman and two aldermen.

In that case Phillips and his wife were indicted for receiving stolen goods belonging to Keating. After Keating lodged his complaint, the property was restored to him, and the police, on learning of the restitution, questioned him as to how the goods had been returned. Keating replied that he had received them through his pastor, Rev. Anthony Kohlman, pastor of St. Peter's Catholic Church in New York City.

At the trial of the defendants, Father Kohlman was called as a witness but begged leave to be excused from testifying. Because of the novelty of the question and the lack of precedent in New York, the case was adjourned to give counsel time to prepare arguments. In June of 1813 the matter was heard, and Father Kohlman was again called as a witness. He said that he would not hesitate to testify if called to give evidence as a private individual.

> But if called upon to testify in quality of a minister of a sacrament, in which my God himself has enjoined on me a perpetual and inviolable secrecy, I must declare to this honorable Court, that I cannot, I must not answer any question that has a bearing upon the restitution in question; and that it would be my duty to prefer instantaneous death or any temporal misfortune, rather than disclose the name of the penitent in question. For, were I to act otherwise, I should become a traitor to my church, to my sacred ministry and to my God. In fine, I should render myself guilty of eternal damnation.[12]

The priest then went on to state the basis of the seal of confession as a doctrine of the Catholic Church.

Two theories were relied upon to sustain Father Kohlman's position: *first,* that he was protected in his refusal to testify by Article 38 of the New York Constitution, which provided for "the free exercise and enjoyment of religious profession and worship, without discrimination or preference"; and *second,* that the exemption is supported by the known principles of the common law, which will not compel any man to answer a question that subjects

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Confession), Court of General Sessions, New York, N. Y.: Edward Gillespy, 1813.

[12] *Ibid.*

him to a penalty or forfeiture, impairs his civil rights, or may degrade, disgrace or disparage him.

Counsel opposing the exemption contended that at common law a priest had no such privilege, and further, to permit Catholic priests to refuse to testify would grant Catholics a preference not given to other religions.

After hearing well-considered arguments of both sides, the court upheld Father Kohlman's contentions, saying:

> It cannot therefore, for a moment be believed, that the mild and just principles of the common Law would place the witness in such a dreadful predicament; in such a horrible dilemma, between perjury and false swearing: If he tells the truth he violates his ecclesiastical oath—If he prevaricates he violates his judicial oath—Whether he lies, or whether he testifies the truth he is wicked, and it is impossible for him to act without acting against the laws of rectitude and the light of conscience.
>
> The only course is, for the court to declare that he shall not testify or act at all.[13]

In this connection it is of interest to consider the view of St. Thomas Aquinas, that "whatever the priest knows through confession he, in a sense, does not know, because he possesses this knowledge not as a man, but as the representative of God. He may, therefore, without qualms of conscience, swear to his ignorance in court, because the obligation of a witness extends only to his human knowledge."[14] Such a theory is logically indisputable to a Catholic—but in all likelihood would be looked upon as sophistical in a country the majority of whose citizens are non-Catholic.

Returning to the court's opinion in the case of Father Kohlman, it was observed that for the free exercise of a religion its essentials had to be protected, that penance was one of the essentials, and that without secrecy the sacrament of penance would be annihilated.

Said the court, in conclusion:

> But until men under pretence of religion, act counter to the fundamental principles of morality, and endanger the well being of the state, they are to be protected in the free exercise of their religion. If they

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[13] *Ibid.*, pp. 102 f.

[14] Kurtscheid, *op. cit.*, pp. 194 f.

are in error, or if they are wicked, they are to answer to the Supreme Being, not to the unhallowed intrusion of frail fallible mortals.

We speak of this question, not in a theological sense, but in its legal and constitutional bearings. Although we differ from the witness and his brethren, in our religious creed, yet we have no reason to question the purity of their motives, or to impeach their good conduct as citizens. They are protected by the laws and constitution of this country, in the full and free exercise of their religion, and this court can never countenance or authorize the application of insult to their faith or of torture to their consciences.[15]

An important result of this decision was the enactment by the New York State Legislature of a statute giving specific legal protection to the inviolability of the priest-penitent relationship.

At the end of the century the question arose in Indiana, this time in a paternity proceeding wherein the complainant charged the defendant with being the father of her child.[16] In appealing from the trial court's judgment against him, the defendant argued that it should have admitted certain evidence of a priest. Presumably the defendant would have tried to prove that the complainant confessed to the priest her relations with other men. There is nothing in the report of the decision as to the priest's reaction to being called as a witness, but the court, in any event, held that such evidence was properly excluded because the facts inquired of the priest were communicated to him by the complainant as a privileged communication. As such it was protected by both statute and case law.

In 1900 a Missouri court had before it a will contest, the primary allegation of the contestants being undue influence on the testator by a Catholic priest.[17] It seems that the deceased, who executed his will just three days before he died, left the bulk of his estate to various Catholic churches for Masses. A priest heard the decedent's confession during his last illness, and the contestants contended that what passed between the priest and the penitent during confession might afford support for the charge of undue influence, and that the jury therefore had a right to pass on that feature of the case. The court disagreed, observing:

[15] *The Catholic Question in America, op. cit.*, p. 114.
[16] *Dehler v. State*, 53 N. E. 850 (1899), Ind. App. Ct.
[17] *Martin v. Bowdern*, 59 S. W. 227 (1900), Mo. Sup. Ct.

Lawsuits are determined by the facts proved, and not by mere suspicions drawn from matters which are not proved, and proof of which would be inadmissible. What passed between Rev. Bradley and the testator in confession are privileged communications, and neither a court nor a jury have any right to predicate a decision of a case upon such undisclosed and incompetent matters.[18]

A different result was reached in a case involving conviction of a woman for arson in setting fire to her millinery shop.[19] About six months after the fire a village priest received an anonymous letter which purported to be a confession by a former suitor of the defendant, to the effect that he had set fire to the shop in revenge against his former beloved. Four days later the priest took the letter to the defendant who, in his presence, wrote out a statement saying she knew nothing about the fire or the letter. The priest testified that it was his opinion that both letters were written by the same person. It was objected that the priest should not have been permitted to testify, but the court held that the Wisconsin statute was not applicable where there was no confession and where the priest was not acting in his professional character at the time.

Where a priest had prepared a deed and made a scrivener's error in the description of the land, plaintiffs (who were happy with the erroneous deed) contended that he was incompetent to testify as to the grantor's intent because he was a priest and the grantor's spiritual adviser.[20] The court held, however, that since the witness was consulted in his capacity as a notary public, not as a priest, his testimony was not privileged.

During a trial for murder in Massachusetts[21] it was shown that his co-defendant had made statements indicating that the defendant was implicated in the crime. One of those to whom he made the statement, shortly before the time set for his electrocution, was the priest at the state prison. The judge instructed the jury that reference to it as a confession or preparation for death was going too far. There was no error in the admission of this evidence and it was subject to comment in argument.

In a case concerning the validity of one of two instruments offered for probate as a will, evidence was tendered as to what the

[18] *Ibid.*, p. 231.
[19] *Colbert v. State,* 104 N. W. 61 (1905), Wis. Sup. Ct.
[20] *Partridge v. Partridge,* 119 S. W. 415 (1909), Mo. Sup. Ct.
[21] *Commonwealth v. Gallo,* 175 N. E. 718 (1931), Mass. Sup. Jud. Ct.

decedent told a priest about one of the wills and where it could be found.[22] The court held that since the statement was no part of a confession made to the priest in his professional character, the priest was not an incompetent witness.

From the decisions it is apparent that where the information in question was made known to the priest in his professional capacity and during the course of confession, it is not admissible in evidence. Where, on the other hand, the priest received the information in a non-professional or private capacity and not during confession, it may be admitted in evidence.

Thirty-one states have enacted statutes affording legal protection to the priest-penitent privilege.[23] The form of statute found in most states is similar to that in Arizona:

> In a civil action a clergyman or priest shall not, without the consent of the person making the confession, be examined as to any confession made to him in his character as clergyman or priest in the course of discipline enjoined by the church to which he belongs.[24]

It is to be noted that the priest may not be *examined* as a witness as to any confession made to him *in his character as clergyman or priest, in the course of discipline enjoined by the church* without the *consent* of the penitent. Some states substitute "in his professional character" for "in his character as clergyman or priest." Minnesota permits neither examination of nor disclosure by the clergyman or priest.[25] In other states, whether or not consent is given it would appear that clergymen or priests are not allowed to disclose a confession;[26] or may not be compelled to testify regarding a confession;[27] or may be neither allowed nor compelled to testify;[28] or shall not be competent witnesses.[29]

[22] *In re Koellen's Estate,* 176 P. (2) 544 (1947), Kans. Sup. Ct.

[23] Ariz., Ark., Cal., Col., Ga., Hawaii, Ind., Kans., Ky., Md., Mich., Minn., Mo., Mont., Neb., Nev., N. J., N. Mex., N. Y., N. D., Ohio, Okl., Ore., Penna., S. D., Utah, Vt., Wash., W. Va., Wis., Wyo.

[24] Arizona Rev. Stats., § 2233.

[25] Minn. Stats. Anno., § 595.02(3).

[26] Mich., C.L. 1948, § 617.61; N.Y.C.P.A., § 351; Vt. Stats. Anno., § 1607.

[27] Ark. Stats. 1947 Anno., § 28-606; Md. Code Anno. 1957, Art. 35, § 13.

[28] N. J. Stats. Anno., Tit. 2A:81-9.

[29] Burns Ind. Stats. Anno., § 2-1714(5); Vernon's Anno. Mo. Stats., § 491.060; Page's Ohio Rev. Code, § 2317.02; W. Va. Code 1955 Anno., § 4992; Wyo. Comp. Stats. 1945, § 3-2602.

An important basic distinction between the several statutes is the element of consent on the part of the penitent to examination or disclosure or both, on the part of the clergyman or priest. It appears to this writer that a more enlightened view would make confessions, at least in criminal cases, absolutely privileged, so that not even the penitent himself could release his confessor from the obligation of secrecy. If a statute contains a consent provision and a penitent, for whatever reason, refuses to give his consent, a jury would be likely, in its own mind, to deduce unfavorable inferences from such a refusal, even though instructed that no unfavorable inference was called for. Or pressure could be brought to bear upon a defendant to give his consent, and a consent so given would probably be binding even though subtle means of persuasion were employed unless, of course, fraud could be proven.

In civil cases, if consent to disclosure or examination is permitted, it should be safeguarded by the requirement that such consent be given only in a writing duly acknowledged by the penitent.

One problem remains to be considered—and it is one which was raised by a New Jersey case decided before the New Jersey privilege statute was enacted.[30] A priest was sued by a woman parishioner who alleged that he had spoken of her in a defamatory manner to a neighbor in the confessional. The facts of the alleged defamation were so unusual as to lead to the suspicion that the imaginations of both plaintiff and her neighbor were at least overactive. Be that as it may, however, the question before the court was whether or not the testimony of the neighbor was privileged as a confidential communication between priest and penitent. The court held that it was admissible at common law and that there was no statute or decision in New Jersey which would exclude the evidence.

The priest, of course, being enjoined by the discipline of the Catholic Church, could not defend himself if it meant disclosing any information he had obtained in the confessional. It is an understatement to say that such a result is highly unjust.

The significance of this case was discussed by Edward A. Hogan who pointed out that the priest could not reveal what was said to him or what he said in the course of the confession, unless the

[30] *Bahrey v. Poniatishin*, 112 A. 481 (1921), N.J. Ct. Err. & App.

penitent gave him permission.[31] But where the penitent is the plaintiff or the plaintiff's principal witness, such permission will not be given.

> Consequently the priest is not given the protection of the secular law that he needs in order to meet the requirements of the seal of confession under canon law. It appears that, although the statutory alteration of the common law certainly is helpful, in that it lightens to some extent the burden of the confessor, it does not provide a complete solution to the problem.[32]

Mr. Hogan raises the question of just "how much freedom should be granted to a confessant in revealing the secrets of the confessional to the civil detriment of the priest, who under ecclesiastical law is not free to defend himself?"[33] He concludes his article with these timely comments:

> Catholics know well enough that no legal punishment or threat of punishment will induce a priest to violate the seal of the confessional. I wonder, however, if we fulfill our duty toward our priests, in subjecting them to the risks of civil liability, criminal sanction, and punishment for contempt of court in the performance of their priestly duties.?[34]

This writer shares Mr. Hogan's concern, and offers the suggestion that the problem be made a subject of study and recommendation among our lawyer-priests and in our Catholic law schools.

GERTRUDE J. BUCK

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[31] Hogan, Edward A., Jr., "A Modern Problem on the Privilege of the Confessional," *Loyola Law Review* 6 (1951), 1.
[32] *Ibid.*, 4.
[33] *Ibid.*
[34] *Ibid.*, p. 14.

MEDICINE AND THE BIBLE

Francis Bacon in his essay on studies made this sage observation relative to reading:

> Some books are to be tasted, others to be swallowed, and some few are to be chewed and digested; that is some books are to be read only in parts; others to be read but not curiously, and some few to be read wholly, and with diligence and attention.[1]

These tenets of good reading become pertinent when the Christian physician stewards his time for reading. Today there is no end to the making and distribution of books of a technical and popular nature. The demands of the profession, the multiple claims upon his time and the necessity of recreation indicate the need for discrimination in the selection of reading material. The concern of these lines will not be the establishment of vocational or avocational reading norms, but rather the outlining of pertinent biblical references to the art and practice of medicine in ancient times.

The reaction of the physician is not necessarily different than that of his fellow Christian who pages the sacred text, yet certain passages may, nevertheless, strike him with more than average interest. His casual reading of the Bible will remind him that within its covers is contained a multi-colored tapestry of subjects: creation, the Blessed Trinity, the Incarnation, the Redemption, the Blessed Mother, legislation, morality, virtue, vice, wisdom, poetry, agriculture, music and medicine. While most of the aforementioned topics are central themes of large segments of the sacred text, the subject of medicine is so peripheral that it is scarcely treated except in the most technical works. The following observations might serve to interest the physician and the lay reader and establish the basis for some elementary notions.

The first conclusion drawn by the most casual reader is that the medical knowledge of biblical times was rather limited and rudimentary. Perhaps the greatest single contributions to the science were the promotion of a social consciousness of the value of health and its preservation by prophylactic legislation. The ele-

[1] Francis Bacon, *The Works of Francis Bacon* (London, 1803), Vol. X, 132.

ments of diagnosis and prognosis in many passages are outlined so sketchily that no sure conclusions may be drawn. To the uninitiated it would appear that the holy land was what some might term a "healthy country." Its topography indicates that there were few sluggish streams which would contribute to disease. Its valleys were wind-swept and its few harbors limited contagious contacts with maritime neighbors. Occasional references to the unhealthy conditions prevalent in Egypt reminded the Jew of his good fortune of living in a healthy land.[2] The professional reader's observation will be much deeper.

The verb "heal" in its various forms appears one hundred forty-two times in both testaments. The words "health," "healer" and "healthful" appear forty-five times. The word "medicine" appears eight times. The term "physician" appears eighteen times. Most readers are familiar with the citation of Christ recorded by the physician, St. Luke: "Physician, heal thyself."[3] Few are familiar with the citation from the Book of Ecclesiasticus:

> My son, in thy sickness neglect not thyself, but pray to the Lord, and he shall heal thee. Turn away from sin, and order thy hands aright, and cleanse thy heart from all offense. Give a sweet savor and a memorial of fine flour, and make a fat offering, and then give place to the physician. For the Lord created him, and let him not depart from thee, for his works are necessary. For there is a time when thou must fall into their hands. And they shall beseech the Lord, that he would prosper what they give for ease and remedy. . . . He that sinneth in the sight of his maker, shall fall into the hands of the physician.[4]

Health was justly considered one of the blessings of God. It was granted as a reward of virtuous living:

> Deal thy bread to the hungry and bring the needy and harborless into thy house. When thou shalt see one naked, cover him and despise not thy own flesh. Then shall thy light break forth as the morning, and thy health shall speedily arise.[5]

Contrariwise, health was denied because of sin of a personal or social nature:

[2] *Deut.*, 7:15; 28:60; *Amos*, 4:10.
[3] *Luke*, 4:23.
[4] *Eccl.*, 38:9-15.
[5] *Is.*, 58:7, 8.

We have sinned against the Lord. We looked for peace and no good came; for a time of healing, and behold, fear. . . . Is there no balm in Gilead? Or is there no physician there?[6]

The attribution of illnesses as witness of the hand of God can be explained in various ways. It can be affirmed that the Semites in general and the Jews in particular paid little attention to what the Graeco-Roman mind would consider secondary causes. The holy people professed that Almighty God was the source of life and death and of all intermediate activity save sin. This feature of Hebrew theology is established in the earlier pages of the Bible in the celebrated case of the selection of Moses as the leader of the people. When Moses objected to his fittingness for leadership he reminded the Lord: "I am not eloquent from yesterday and the day before, and since thou hast spoken to thy servant, I have more impediment and slowness of tongue." The reply of the Lord established the principle. "Who made man's mouth? Or, who made the dumb and the deaf, the seeing and the blind? Did not I?"[7]

This relationship of causality to God led to false conclusions by the uninformed in both testaments. The tormentors of Job were certain that God was the origin of the misfortunes of Job and most pointed in their arguments that Job confess his guilt. When the disciples of Christ encountered the man born blind they posed the question to Christ: "Rabbi, who has sinned, this man or his parents, that he should be born blind?"[8] In neither case did the antagonists consider a possibility other than sin.

Illness was a penalty often inflicted as a penalty for sin. That is evident in the injunction of the Lord to Moses during the wanderings in the Sinai peninsula: "If thou wilt hear the voice of the Lord thy God, and do what is right before him, and obey his commandments, and keep all his precepts, none of the evils I have laid on Egypt, will I bring upon thee: for I am the Lord thy healer."[9] The same thought is repeated in the canticle of Moses: "I will kill and I will make to live. I will strike, and I will heal, and there is none that can deliver out of my hand."[10] There is no doubt but that certain illnesses, personal and social, were permitted

[6] *Jer.*, 8:14, 15, 22.
[7] *Ex.*, 4:10, 11.
[8] *John*, 9:2.
[9] *Ex.*, 15:26.
[10] *Deut.*, 32:39.

by God for the accomplishment of His designs. Some were definitely penal. Others were permitted to manifest the glory of God in a rather striking way as in the case of the man born blind. Still more were the direct result of a manifest lack of prudence in the matters of eating, drinking and enjoying the pleasures of life. The matters of penalty, prudence, prayer and the physician are combined in the case of Asa, the king of Juda. Asa had fallen ill after entering a league with Benedad, the king of Damascus. His treachery and impiety and lack of a prayerful attitude tied the hands of the consulting physician and rendered his ministrations vain.[11]

Risking the possibility of confusing modern and ancient terms, one is able to elaborate a rather lengthy catalogue of diseases.[12] The diagnosis is not that of the writer of these lines. On the basis of the evidence he would not be at liberty to conclude in most instances because of the lack of further evidence. It should be noted also that most of the citations are from the Old Testament. The following texts and the ills they describe are worth noting: paralysis,[13] consumption,[14] mental disease,[15] skin afflictions,[16] emerods or plague boils,[17] worms,[18] abdominal disease.[19] The references to febrile ailments are so numerous that one hesitates to list them. Sexual disorders or diseases as the abnormal discharges of women and abnormal seminal emissions are mentioned in Leviticus.[20] References to lepers and leprosy are found in both testaments. The former term occurs twenty-four times; the latter, twenty. A detailed treatment of the problem is found in Leviticus.[21] It should prove interesting to the dermatologists. Left handedness is also recorded,[22] as well as supernumerary digits,[23] univolar twins,[24] heatstroke,[25] apoplexy associated with drunkenness,[26] and

[11] *II Par.*, 16:12.
[12] J. Steinmueller and K. Sullivan, *Catholic Biblical Encyclopedia: Old Testament*, p. 2791.
[13] *III Kings*, 13:4.
[14] *Lev.*, 26:16.
[15] *Deut.*, 28:28.
[16] *Lev.*, 13.
[17] *I Kings*, 5:6.
[18] *Prov.*, 12:4.
[19] *II Par.*, 21:14.
[20] *Lev.*, 15.
[21] *Lev.*, 24.
[22] *Judges*, 20:15.
[23] *II Kings*, 21:20.
[24] *Gen.*, 38:27.
[25] *IV Kings*, 4:18.
[26] *I Kings*, 25:36.

the after effects of alcohol.[27] The instances of infantile diseases while numerous are nonetheless unspecified.[28]

Among the numerous references to childbirth, two classic texts of Genesis spring to mind. Both were twin births. The first was that of Esau and Jacob. During delivery Jacob seized the foot of his twin as he emerged from the womb. The incident occasioned the giving of the name Jacob, which means the supplanter or the tripper (from the custom of upsetting a person by hitting his heel). Interestingly, the term is the philological basis for the Christian name James. The second case was that of Phares and Zara. The arm of the latter appeared first and was tied with a scarlet cord. Phares was delivered first.[29]

The care of the newly born is referred to in Ezechiel: "When thou wast born in the day of thy nativity thy navel wast not cut, neither wast thou washed with water for thy health, nor salted with salt, nor swaddled with clouts."[30] The passage does not refer to an actual birth of a child, but is used polemically against the nation. The office of midwife was performed by a highly respected group of Jewish women, who gained the everlasting appreciation of their countrymen for their refusal to destroy Jewish males in the days of the oppression in Egypt.[31]

It would appear that the only surgical operation in biblical times was that of circumscision. The countries neighboring the Holy Land circumscised males for purposes of health. For the Israelite circumscision was a religious rite which sealed a man's covenant with God. In ancient times the operation was performed with a flint knife. The father was commissioned by law, but the mother or any other worthy Israelite could perform the operation if circumstances demanded.[32] The only other operation apparent is that of the boring of a servant's ear for purposes of identification. The instrument used was an awl.[33]

[27] *Prov.*, 23:20.
[28] *II Kings*, 12:15; *IV Kings*, 4:19; *III Kings*, 17:17; *John*, 4:49; *Matt.*, 9:18.
[29] *Gen.*, 25:26; 38:27.
[30] *Ezech.*, 16:4.
[31] *Ex.*, 1:15-20.
[32] *Ex.*, 4:25; *Josue*, 5:2; *Gen.*, 17:23.
[33] *Ex.*, 21:6.

In both testaments there are few references to the use of specific drugs. Wine and oil were used extensively as cleansing and healing agents.[34] The heart, liver and the gall of fish are mentioned in Tobias. The gall was employed as a medicament for the eyes.[35] Fig poultices were used for boils.[36] Plants, herbs, leaves and roots had a variety of uses.[37] The apothacaries were the ancient compounders of oils, ointments and spices. Occasionally they were termed perfumers because many of their products were used as deodorants.[38] The basic components appear to be the aromatic spices such as aloes, balm, cassia, cinnamon, galbanum, frankincense, myrrh and spikenard.[39] The containers were vials, boxes or bags, the latter usually suspended about the neck.[40]

Despite the limitations of the knowledge of biblical ailments and their treatment, one does find more extensive information regarding the field of preventive medicine. There was a remarkable effort on the part of the ancient Jews to prevent the outbreak and spread of disease. The priests acted as medical police who attempted to diagnose maladies and then enforce penal measures. The Mosaic Law enacted a rigid dietetic rule which is followed substantially by the modern Orthodox Jew. Moses classified four types of animals. He banned some for reasons of health and others for reasons of discipline. The first class consisted in four footed beasts. Only those which chewed the cud and had cloven feet were "kosher" or fit for eating. If an animal lacked one or both characteristics it was banned.[41] This would account for the proscribing of pork products.

The second class was that of birds, bats and grasshoppers. About twenty species of birds were considered unclean, possibly because they subsisted on carion which spread disease.[42]

[34] *Is.*, 1:6; *Luke*, 10:34.
[35] *Tob.*, 6:9.
[36] *Is.*, 38:21; *IV Kings*, 20:7.
[37] *Ez.*, 47:12; *Wis.*, 7:20.
[38] *Eccl.*, 38:7; *I Par.*, 9:30; *Ex.*, 30:25, 35; 37:29; *II Esd.*, 3:8; *Eccles.*, 10:1.
[39] Steinmueller, *op. cit.*, p. 840.
[40] *Is.*, 3:20; *Cant.*, 1:12.
[41] *Lev.*, 11:2-8; 26:28; *Deut.*, 14:3-8; *I Macc.*, 1:50; *II Macc.*, 6:18; *Luke*, 15:15.
[42] *Lev.*, 11:13-19; *Deut.*, 14:14-18.

The third classification was that of fish. Within this class fell any animal that lived in, on or about the water. Only those having fins and scales were permitted. All shell fish were banned.[43]

The fourth classification was that of creeping things which included the mouse, mole, lizard, weazel and any creature with more than four legs.[44] This health legislation extended to other areas of a man's life. It provided for the burying of excreta and blood.[45] It provided for the complete washing of garments by banning the combination of yarns in clothing.[46] It also declared unclean all who came in contact with corpses or defiled objects and demanded them to wash with the water of expiation.[47] The laws regarding personal hygiene and sexual purity are so detailed that it would be more profitable to refer the reader to chapters twelve to fifteen in the Book of Leviticus.

The references to anatomy and physiology are scattered throughout the sacred text. There is no attempt of a scientific or popular nature designated to outline the physical components of man. The pertinent texts tend to be descriptive rather than definitive. It would appear that man was a mysterious dichotomy whose physical and spiritual elements are described in a variety of terms. The material element in man was generally determined *basar* or flesh which the ancients recognized as the fleshly or muscular parts as opposed to blood and bone.[48] *Basar* was considered the equivalent of an animated body. The Jews of the biblical period had no specific terms for the words, "body" or "matter," nor did they define man as a creature composed of a body and soul. The spiritual element had several designations. Three terms gained prominence: *ruah* or spirit,[49] *neshemah* or breath,[50] and *nephesh* or soul.[51] Parts of the body were employed to describe spiritual functions. The heart was the organ of thinking, knowing, willing and making moral judgments.[52] The reins were the seat of the feelings and affections.[53] The entrails were seat of compassion, love and mercy. The navel was the center of health inasmuch as it was the midpoint of the body.[54]

[43] *Deut.*, 14:9-10.
[44] *Lev.*, 11:41.
[45] *Deut.*, 23:13.
[46] *Deut.*, 22:11.
[47] *Num.*, 19:11.
[48] *Gen.*, 2:21; 9:4; *Job*, 2:5; *Ex.*, 16:8.
[49] *Job*, 9:18; *Ps.*, 135:19.
[50] *III Kings*, 17:17.
[51] *Lev.*, 17:14.
[52] *I Kings*, 14:7; *Ex.*, 28:3; *Ps.*, 15:2.
[53] *Ps.*, 16:7.
[54] *Prov.*, 3:8.

It has probably become apparent that the vast majority of texts cited are from the Old Testament. The New Testament adds little or nothing to a biblical knowledge of medicine. Its *leitmotif* is that of redemption and spiritual healing. Its accent is positive. With reference to medicine the concern is more for the sufferer than for the thing suffered. Its salient feature is the attitude of Our Lord toward suffering. One need but read the passion or the scholarly work, *A Doctor at Calvary,* by Pierre Barbet, M.D., to appreciate Christ's esteem for his own suffering; or the Gospel of the physician St. Luke to appreciate his attitude toward the suffering of others.[55] The following list of miracles of healing read in their contexts will reveal the twofold function of Christ as the healer and physician of souls:

(1) The cure of the royal official's son (*John* 4:46-53).
(2) The cure of Peter's mother-in-law (*Matt.* 8:14).
(3) The cure of a leper (*Matt.* 8:1-4).
(4) The cure of the paralytic of Capharnaum (*Matt.* 9:1-8).
(5) The cure of the man with a withered hand (*Matt.* 12:9-14).
(6) The cure of the centurion's servant (*Matt.* 8:5-13, *Luke* 7:1-10).
(7) The cure of the woman with a hemorrhage (*Mark* 5:24-34).
(8) The cure of the two blind men (*Matt.* 9:27-31).
(9) The cure of the man at the pool of Bethsaida (*John* 5:1-18).
(10) The cure of the deaf-mute (*Mark* 7:31-37).
(11) The cure of the blind man (*Mark* 8:22-26).
(12) The cure of the man born blind (*John* 9:1-34).
(13) The cure of the stooped woman (*Luke* 13:10-17).
(14) The cure of the man with the dropsy (*Luke* 14:1-6).
(15) The cure of the ten lepers (*Luke* 17:12-19).
(16) The cure of the two blind beggars (*Matt.* 20:29-34).
(17) The cure of Malchus (*Luke* 22:49-51).

As we bring these lines to a close we are reminded of the words of the Apostle to the Gentiles that the Christian is the temple of the Holy Spirit.[56] We are reminded that physicians are like the ministers of the altar, giving glory to God and peace to men. Patient, priest and physician form a holy triumvirate—each in his own way—seeking the welfare of a soul through the restoration of a broken body. It is consoling to think that if even a glass of cool water given in the name of the Divine Physician will not go unrewarded, what recompense must there be in store for the

[55] Pierre Barbet, *A Doctor at Calvary* (New York: Kenedy, 1953).
[56] *I Cor.,* 3:16.

faithful physician when he lays aside the surgeon's cap and waits for the Chief of staff to place upon his head the imperishable crown![57]

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[57] *Matt.*, 10:42; *I Cor.*, 9:25.

FIFTY YEARS AGO

The leading article in *The American Ecclesiastical Review* for February, 1910, is entitled "What Is an Adequate Course of Scripture Study?" The author, Fr. H. Pope, O. P., admits that the ordinary seminary curriculum is too crowded to permit the introduction of more classes, but he believes that a good working knowledge of the sacred text can be given in every seminary. The main objective of such a course is to induce the student to read the Bible with interest and profit, rather than to teach him the biblical languages or to equip him with the answers to all possible objections. . . . Mr. G. Metlake, writing from Germany on "The Reform in Church Vestments," emphasizes the importance of having the proper color in our vestments. For example, the green vestments should be tinted to match "the soft and mild green of the plant world.". . . Fr. P. Robinson, O.F.M., contributes a brief summary of the life of St. Clare. He narrates the interesting fact that the original bull of Pope Innocent IV, confirming the rule of St. Clare, was found in 1893 inside an old habit of the Saint. . . . Fr. M. Martin, S.J., continuing his series on the Roman Congregations and Tribunals, gives an account of the constitution and the competence of the Rota. . . . A fine tribute to the distinguished German scientist, Fr. E. Wasmann, S.J., is given by Dr. James J. Walsh. . . . This issue contains the second instalment of "Ecclesiastical Heraldry," by Fr. A. Bruckner, S.J. . . . In the Studies and Conferences we find the recommendation to have a regular course of instructions in Christian doctrine preached at Sunday Masses, as a practical fullfilment of the Encyclical of Pope Pius X on Christian Doctrine . . . . There is also a recommendation that a non-Catholic shall not be permitted to marry a Catholic unless he first accept a course of instruction on Catholic Doctrine. . . . The Editor explains why he cannot answer, either in the pages of the *Review* or in private letters, all the questions submitted to him: "It is hardly fair to assume that, besides preparing a magazine which furnishes definite information of a professional and practical nature not easily available in any other form to our clergy, he should at the same time act as an attorney general in ecclesiastical and pastoral affairs for the large and critical body of readers of *The Ecclesiastical Review.*" F. J. C.

THE DOMESTIC AND MONASTIC FAMILIES

Among the encouraging developments of our day is a growing interest on the part of the laity in the study of the queen of sciences, sacred theology. As the education of the laity advances to ever higher levels, we can expect this interest to grow still further. One result of that should be to give Catholics a firmer foundation on which to rest their religious beliefs in this day of a multiplicity of contrary and contradictory doctrines found in the world about them. Another should be to give them a finer appreciation of the Christian religion.

A particularly promising field for theological study, insofar as the great mass of the laity is concerned, is what we might freely call the theology of marriage and Christian family living. The term "theology" is taken here as not only embracing dogmatic truths and moral doctrines but also as extending to what might be called spiritual theology. Such a theology of marriage and the family should prove very helpful and useful. It should do so even in the case of those who may not be able to extend their knowledge into other aspects of the theological field.

Comparing the domestic and the monastic family or, in other words, showing how the human family under the Christian economy is largely a counterpart of the religious or monastic family, should prove a relatively simple, and yet very effective way of introducing the laity to this practical field of theological study. It will be seen that there are a large number of resemblances between the two types of families. However, few detailed analyses of the likenesses between them have been made up to the present time, even though a knowledge of these resemblances would do much to give Catholic people a far higher appreciation of the dignity and beauty of Christian family living than they generally have at the present time. And one need hardly add that there is great need for such an appreciation today. Among other things it should do much to offset the fairly common notion current among them that family life is something much lower in the eyes of the Church than is religious life.

Among the old monastic rules, the one that apparently brings out best the analogy between the domestic and the monastic family would seem to be that of St. Benedict; it serves as the

basis of our present discussion. But it should be borne in mind that, whatever is said of the Benedictine monastic family, will also apply in general to all other religious orders or congregations.

To begin with, it might be noted that there is even a similarity of terminology between the monastic and the domestic families. Thus, in religious communities of the Church one finds such terms as "father" and "mother," and "brother" and "sister." They are used quite as extensively there as in the human family. However, the matter goes much deeper than that. In fact, there are similarities even in the most fundamental features of the two types of family.

If we consider, for example, the very end or purpose of the two types of families mentioned, we find that they are not only similar but actually the same. The ultimate end of each is eventual union with God, the attainment of the Beatific Vision in our heavenly home. The two merely constitute different ways of striving for the same goal. They use different means of reaching it. Thus, according to the rule of St. Benedict, the first test that is to be applied to a young aspirant when he presents himself for admission to the community is, "whether he truly seek God." That is the true purpose of religious life—to seek God, to work out one's eternal salvation. But that is also the end that marriage and Christian family living must seek to attain. As the encyclical on *Christian Marriage* so clearly points out, the two partners to the marriage contract are bound to help each other in working out their eternal destiny. There must be under the bond of marriage, to quote the words of the document, "A mutual interior or spiritual moulding of the two spouses, a determination and ambition to perfect each other spiritually." The two must live a partnership that aims at an eternal goal. They must seek God together.

Then, too, the child, the primary purpose of marriage, is begotten for God. The attainment of the mansions of his Father's house is his destiny or ultimate goal. That, indeed, is the ultimate end of all callings, whether they be to the religious life, to family life, or to the single life in the world. The means of attaining it, however, are different in these three ways of life.

With regard to what we might call the foundation-stone of each, we find a very considerable similarity or analogy between

the human family under the Christian economy and the religious or monastic family. Thus, both are based on a sacred or solemn contract, the sacrament of matrimony and the religious vows, respectively. Both involve a solemn consecration. Both are profoundly spiritual. Both are intimately linked with grace. The Christian family is founded upon an inviolable promise, or on a contract that is at the same time a sacrament, a grace-conferring institution, namely, the sacrament of matrimony. Then, again, through Christian marriage husband and wife are solemnly dedicated to a new and joint office in the Mystical Body of Christ, the Church. Through it they are bound in a union in which they must constantly strive to exemplify the highest relationships of love which they can conceive, namely, Christ's redeeming and sanctifying love for the Church. But, just as the Christian family is based on an irrevocable promise that constitutes the sacrament of matrimony, so is the religious family, in the case of its solemnly professed members, based on a sacred and unbreakable contract, that of solemn vows. Then, again, as the contracting parties in marriage are dedicated to a joint new office in the Mystical Body of Christ, so, too, is the religious totally consecrated, through his sacred profession, to the service of God and the Church. Indeed, one might say that, through his vows, a religious is consecrated for the service of God much as a chalice or other sacred vessel of the Church is consecrated for His service.

Both the domestic and monastic families in the Christian economy are also most intimately bound up with grace. Both are vitally spiritual families. In that fact lies still a further analogy between them. Thus, insofar as the married spouses are concerned, the two live constantly in a sacramental state. This implies a continuing title on their part to the graces of the sacrament of matrimony. In other words, Christian marriage, the basis of family life, is the union of two persons throbbing with the Christ-life of grace. It is a life partnership of two souls redeemed by Christ and suffused with His grace. But the monastic family, too, is something vitally spiritual. While the religious vows do not constitute a sacrament, St. Thomas, great theologian of the Church, likens the monastic profession to the sacraments in regard to what theologians call its *ex opere operato* effect, that is, the effect of grace wrought by the sacrament itself. Specifically he likens it to baptism. At all events, religious certainly live in a

world of grace. Their lives are guided by the grace of vocation and they are surrounded in their communities by many and varied means of grace.

All in all, then, there is a very considerable similarity in what might fittingly be called the foundation-stones of the two types of families to which we are referring. Both are built on sacred and binding promises made to God. Both imply a solemn consecration. Both are linked most intimately with an abundance of the spiritual aid that is grace.

When we turn to what may well be called the capstone of the domestic and monastic family structure, namely, the head, we find no less a striking similarity or analogy between them. In both cases the head is called "father." But what is much more important, in both cases he is taken to represent Christ. The term "father" has always been applied to the head of the human family. The Christians kept the term that had already been used by the pagans before them, and brought about profound changes in the powers that the patriarch or father exerted over the family members. Under paganism those powers were often extreme, and were not infrequently much abused. Under Christianity they were limited by a moral law that did much to check their abuse. Insofar as the monastic family is concerned, St. Benedict applied the term "father" or "abbot" to the superior or head. We find it used, for instance, in the special chapter in his rule which discusses what manner of man the head of the community ought to be. We find much the same in the case of other orders of men. In some instances, for example, the term "father general" or "father provincial" is used. In others we find the use of the terms "father rector" or "father minister."

But much more important than the term used, or the name applied to the head of the two groups, is the fact that in both cases he represents Christ. The teaching in this regard, insofar as the human family is concerned, is found in St. Paul's Epistle to the Ephesians. The meaning of the words of the great apostle in this connection is set forth most clearly by Pope Leo XIII when, in his encyclical on *Christian Marriage,* he wrote: "Since the husband represents Christ and since the wife represents the Church, let there always be, both in him who commands and in her who obeys, a heaven-born love guiding both in their respective duties."

Much, we might say, as the Holy Father represents Christ at the head of the Church—God's great family on earth—so the husband and father represents Him at the head of the little Church—the Christian home. The wife and mother, incidentally, represents the Spouse of Christ, the Church.

Similarly, the head of the monastic family is said to represent Christ. To quote the unmistakably plain words of St. Benedict: "The abbot is believed to hold the place of Christ in the monastery." And again: "Let the abbot, since he is considered to represent the person of Christ, be called Lord and Father . . . out of reverence and love of Christ." Then there immediately follows this admonition: "Let him (the abbot) be mindful of this and show himself to be worthy of this honor." How fittingly that admonition should also be applied to the father of the family. He, too, should ever be mindful that he represents Christ at the head of the family, and should therefore strive zealously to show himself worthy of that honor.

One might well conclude that St. Benedict, who showed such great familiarity with the Sacred Scriptures, had in mind the Fifth Chapter of St. Paul's Epistle to the Ephesians when he wrote about the abbot, the head of the religious community. At any rate, we have in his teaching in this connection the key principle to the entire ordering of the monastic family; the abbot or superior represents Christ in the midst of the members of the community. He is, in the measure possible to human frailty, to reproduce in his life and in the discharge of his official duties, the person and actions of Jesus Christ. So, too, ought the mother and children be guided by this fact in their relations with the father. Indeed, would anyone doubt that it is precisely in a return to such genuinely Christian views that we must hope to find the solution for the disgraceful juvenile delinquency problem of our day.

We can hardly pause here to show in any detail what is implied by the fact that the father is the representative of Christ as the head of the home. But let us at least note, in passing, that it implies the fulfilment of these three offices: *teaching* his children their religion; *mediating* for them with God; *sanctifying* them. Those were the three great priestly offices of Christ. And so they are the offices of the father as representative of Christ in the home. In like manner, they are the offices of the superior in a religious

community. Hence the superior of such a community must see to it that its members are trained in the religious life. In this connection we might point out, for instance, that in his rule St. Benedict refers to the monastery as a "school of the Lord's service." So, too, must the superior, as must the father in the home, pray for and sanctify his children, the members of the monastic family. That is, he has pastoral or priestly care of them. Like the Christian father in the home, the abbot represents Christ in the monastery. Like him, too, he shares in a very real sense in His priestly offices of teacher, mediator and sanctifier. In a word, the two, the Christian father and the religious superior, are very largely counterparts of each other.

Up to this point we have contrasted several important fundamentals of the domestic and monastic families. There is no question that there is much similarity between the two with regard to those fundamentals. But there are also many similarities in regard to religious customs and practices in the two types of families. Herein, again, the two are counterparts of each other. In both cases their homes or dwellings are "houses of God." Then, too, there are a very considerable variety of religious services and practices that are suited to both. In fact, many of the same practices are found in both with little or no variation.

St. John Chrysostom referred in his writings to the home of the Christian family as a church in miniature. St. Benedict, who was almost a contemporary of his, used a very similar expression in speaking of the monastery. He called it a house of God. The following words of St. John Chrysostom, for instance, distinguish clearly between the church edifice as generally understood and the "little church" that is the family home: "Prayer and teaching in the church is not enough. They must be accompanied by prayers and reading at home; for the home is a little church, an *ecclesia domestica* (a home church)." It should be observed, too, that the term "house of God," which St. Benedict used in speaking of the monastery, refers to the monastic institutions as such and not merely to the abbey church or chapel. In our day, too, no less than in those early Christian days, the home should be a little church.

As we know, such official or public worship of the Church as the Sacrifice of the Mass, the Divine Office, and administration of the sacraments and certain other approved devotions, normally

take place in the church edifice rather than in the home or monastic living quarters. Nevertheless, there are many customs and practices of a religious nature that are entirely in place both on the domestic hearth and in the monastery proper. Many, in fact, are found in both places today. But, at least insofar as the home is concerned, it can be said that many more were found there in the past. They must be zealously restored. Where they are present, there is a real resemblance between the Christian home and the monastic institution.

Let us consider, for instance, the large field of the sacramentals or the so-called "little sacraments." Not a few of these have been instituted by the Church precisely for use in the home. Many more of them are very much in place both in the miniature church that is the home and in the house of God that is the monastic or conventual home. The following are examples: The use of holy water; making the sign of the cross before beginning a task or prayer; the use of medals; the presence of blest evidences of religion, such as crucifixes, pictures, statues in the home; the special blessing given the home in connection with the festive observances of Epiphany and Holy Saturday; the blessing of medals and food for the table.

So, too, are there blessings centering in individuals that are in place on both the domestic and monastic hearths. Thus there is the blessing for the sick. Or again, there is the so-called parental blessing. The latter was once very common in homes and, happily, it is experiencing a noteworthy revival in our day. It consists in the practice of the father and the mother blessing their children, for example, before they retire in the evening, or before they go on any considerable journey, or, again, before they go out into the traffic or other dangers of the street. The equivalent of this is found in religious institutions. Thus it is expected that the monk, whenever he leaves the monastery to go on a journey, and also when he returns, present himself to the abbot or father of the monastic family, or to a more immediate superior delegated to act for him, to petition his blessing. Furthermore, every evening, when the members of the community have recited compline and night prayers in common in chapel, the last blessing of the day is given to all assembled by the abbot, the father of the monastery.

Probably it is hardly necessary to state that there is also an analogy between these two types of families insofar as a variety

of prayers and devotions suited for use in common are concerned. Mention might be made, for instance, of prayers before and after meals, morning and evening prayers, suffrage for deceased members and prayerful remembrance of absent ones, the reading of the Scriptures or other religious books at table or otherwise, the observance of special religious devotions during certain months of the year or during various liturgical seasons of the Church. Where differences may exist in regard to these practices in the home and monastery, these will be found rather in their extent and manner of use than in their suitability or unsuitability for either group. And even if they might take somewhat different forms in the home and in the monastery, this would not detract from their general resemblance. The two would still remain in great measure counterparts of each other.

The monastic family will, of course, have its chapel or abbey church, or even both. In past history there were also domestic families that had their own chapels and even their own chaplains and regular services in the home. As a matter of fact, some still have this arrangement, though it is now more than ever an exceptional thing. But what can be generally expected is that the family have at least a small altar or shrine in the home, a place where the family members can gather together and pray. But even in this we have no little similarity between the monastery and home.

The family unit also deserves consideration insofar as religious services or devotional practices in the parish church are concerned. Much as the members of the monastic family customarily participate as a group in the devotions in chapel, so should parents and children participate together, insofar as that is feasible, in the services of their parish church. In the monastery there is a daily conventual Mass. This is a community Mass for all the members of the monastic family. The members of a domestic family, too, should assist at Mass and receive Communion as a unit. While this is actually not a very common practice in our midst today, it is being encouraged and is happily showing some promising growth. It should be still further encouraged. The closer the resemblance between the domestic and monastic families in this regard, surely the better.

And so there are still other ways in which a considerable likeness between monastery or convent and home is evidenced. For instance, the home has well been called a school of the virtues. The

same term could also fittingly be applied to the monastery. There is constant opportunity in it for both the acquisition and the practice of the virtues. Then there is another development that is showing some growth and that is well deserving of special attention. It is the use on the part of the laity of certain media or tools of the spiritual life that hitherto had largely been looked upon as the exclusive property, so to speak, of religious and priests. Examples are: meditation or mental prayer; the use of the missal; spiritual reading; the particular examen; the recitation of the Divine Office or parts thereof. There is, of course, no valid reason why these practices should not be in place in the Christian home. It might be added, too, that with higher and more universal educational opportunities for the laity today than in earlier times, these practices should become increasingly more feasible on their part than heretofore. The more common they become, the more extensively should they contribute to a higher Christian family life.

Before bring these considerations to a close, we might well turn our attention for a moment or two to the practical matter of practice or application. Here we will find a dissimilarity between the two types of families we are considering. That is, in spite of many real and potential similarities between them, we find a rather noteworthy difference in practice or application. Making due allowance for exceptions, it must be said that monastic family life is being lived on a higher spiritual plane today than is true of the domestic. Naturally the question arises why that is the case. The answer seems to be found in no small measure in several religious practices or customs that have not yet been mentioned. They are practices that are found in the religious or monastic families but are not found, or found only to a limited extent, in the domestic family. They are: the annual spiritual retreat; the religious novitiate; the renewal of the religious vows. These are quite universally a part of religious life and have unquestionably proved their great value to that type of life. But would they or their equivalent not also have value for Christian family life? The answer is undoubtedly in the affirmative. Introduced in connection with family life, and adapted to its needs, these practices would unquestionably do much to eliminate no small part of the difference in spiritual zeal and vitality that exists in the life of the two groups.

A novitiate is a sort of apprenticeship for religious life. It consists of a period of time, customarily one or two years, set aside

for introducing candidates for a religious order or congregation to the principles of the spiritual life. During it they are instructed in the purpose of the religious state, in the religious vows, and in the rule of life under which they are to live, in the event they become members of the community. In other words, it is a period of training, a time of diligent preparation for the life ahead. Is it too much to say that something of this nature should also be provided for those who are to enter the married state? To be sure, it need not be called a novitiate. But it should be something reasonably equivalent to the period of preparation and training that is implied by the term. That is to say, for instance, that candidates for the sacrament of matrimony should receive a thorough-going preparation for the state of life they are to enter upon. Thus, they should be made thoroughly acquainted in advance with the fundamentals of Christian marriage and family living. They should be given a grasp of what is meant by the home as a school of the Lord's service and of the Christian virtues. They should be taught the religious practices that would enable them to build their homes into Churches in miniature. Some very substantial and promising beginnings have in fact been made in this regard over the past quarter of a century or more. Marriage preparation courses and forums, showing among other things the spiritual aspects of Christian marriage, have been enjoying a consistent growth both in and outside the school system. A still greater extension of these should be constantly aimed at.

Then there is the spiritual retreat, the second practice to which reference was made. It, too, like the novitiate, is found universally in monastic or other religious houses. And it, too, like the novitiate, has proved its genuine spiritual values. It is meant to be a spiritual refresher, a means for the consistent renewal of the spiritual life of religious. It affords religious a special opportunity to recall occasionally the spiritual aspects of the state of life to which they have vowed themselves, and to renew their determination to keep their own life in religion ordered in accordance with the ideals that were taught them when they first entered upon it. That is something that should not be denied the family; it should also be provided for whenever at all feasible. There has, in fact, been a promising growth in this regard. So-called family retreats, adapted to the peculiar needs of the family, have been one of the truly outstanding developments of the family life movement of our day.

Surely, there is no question of the value, and even need of these retreats. Husbands and wives, fathers and mothers, no less than members of monastic or other religious families, are tempted to grow lax. They are faced with the danger of weakening spiritually, of getting into a rut, of giving their attention too exclusively to temporal affairs. In other words, they need the repeated spiritual renovation or rejuvenation that a family retreat offers them. Indeed, it is quite conceivable that a retreat may be a greater need for the married today than for religious. The attention of the former is almost necessarily taken up more with the cares of the world than is that of the latter. Furthermore, the married are more directly and extensively subjected to the distractions and temptations of the tumultuous world about them. Should anyone doubt the greater need on their part, he might well recall the fact that many among them have in our day been misled by false doctrines regarding marriage, and some of them have even been swept off their feet by the selfish and perverted marriage ethics of the day.

Finally, there is the third means of renovation for the married that was mentioned, namely, the renewal of the nuptial promises. It is customary for religious to renew their vows regularly. Particularly is this done in connection with their annual retreat. Surely there should be no valid reason why married couples should not also renew their sacred promises to each other at regular intervals. On the contrary, there is every reason why they should do so. As a matter of fact, the practice of doing so has taken root of recent years, and has even taken on a fairly vigorous growth. It has particularly become an accepted practice at family holy hours and as a closing ceremony for family retreats. It can also take place privately.

The religious family analogy is a reality. There are many very real resemblances between the domestic and monastic families. That stands beyond all doubt. But at the same time we must admit there is a real difference in practice between the two. About that, there seems little room for doubt. All in all, the latter is living at a higher spiritual level than the former. That presents a situation that clamors for correction. In fact, it might well be said that there is a pressing need in our day for husbands and wives, fathers and mothers, to live more faithfully in harmony with the spiritual aspects of the Christian family pattern after which the monastic family is modeled. The practices we have just mentioned—careful

preparation for marriage, the family retreat, the renewal of the marriage promises—should go far towards meeting that need. The same is true of a diligent study of the entire field of what we have called the theology of Christian marriage and family living.

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LITURGY AND CONTEMPLATION

The life of prayer in the Church is as varied as the other aspects of her life: social, cultural, political and theological. Different ages see various movements and trends in what is broadly termed the spiritual life. While realizing that this life of prayer cannot be separated from the total complexus of activity in the Church, we find it useful to consider it in itself. This is particularly true today when the vigorous liturgical movement is clearly having an impact on other forms of piety and devotion. Some individuals are mildly puzzled by what seems to be a new and even untraditional form of Catholic practice; others have warmly embraced the growing liturgical movement and see in it a precious sign of the revitalization of American Catholic life. There are those, also, who seek to understand the liturgy and liturgical piety in relation to the inner life of the soul and the exercise of mental and contemplative prayer.

The philosophers Jacques and Raissa Maritain have turned their attention to this theological question in a lengthy discussion of the relations of the liturgy and contemplation.[1] Their article raises several important questions which bear upon the meaning and place of liturgical worship in the life of the Church and of the individual Catholic. Briefly, these questions may be said to center about the following points: What is the *highest* and most noble activity of the Christian? May one legitimately contrast active liturgical participation with contemplative prayer, ranking the first as a *means* to the perfection of the second? Is it sufficient and correct to consider acts of liturgical worship as acts of the *moral* virtue of religion, and to see in contemplative prayer the highest exercise of the *theological* virtues and the Gifts of the Holy Spirit?

In answer to these questions, the Maritains have taken a strong and definite position in favor of contemplation. They argue that actions by which the Christian participates in the liturgy are lesser acts than the moments of contemplation. They insist that to say differently "would be to reverse the order of things, and to have a moral virtue—the virtue of religion—take precedence over the theological virtues and the gifts of the Holy Spirit."[2] The honor-

[1] "Liturgy and Contemplation," *Spiritual Life*, V. 2 (June, 1959), 94-131.
[2] *Ibid.*, 100.

ing of God in communal worship, they admit, is an act of religion, and "the highest thing in the order of the moral virtues." However, souls are not to be limited to such (liturgical) prayer, but are to go on to "a still higher good, which depends directly on the theological virtues and the gifts of the Holy Spirit," which is contemplative prayer.[3] Thus, their conclusion is this: "In what concerns individual souls, contemplation, to the extent that they attain to it, is superior to the acts through which they take part in the divine service."[4]

Before attempting to offer some reflections on these problems, it may be well to emphasize that solutions must be sought in the traditional teaching of the Church: in Scripture and the *magisterium,* and in the scientific theology which seeks to give a systematic expression and deeper understanding of this teaching. Theological science certainly does not seek to do away with the divine mysteries of the Christian life and grace, but it confidently seeks an *understanding* of these mysteries—an understanding that theology is bold enough to express in scientific terms based on a scientific methodology. It is not so much, therefore, to the spiritual experiences of individual mystics, valuable and wonderful as these may be, that theology looks for its answer to problems of understanding in the Christian life, but to traditional theological science as it gives expression to divine revelation.[5]

The noblest and highest activity of the Christian is the exercise of the virtue of charity. The Old Law is perfected and the New

[3] *Ibid.,* 118.

[4] *Ibid.,* 99.

[5] Father William, O.C.D., in an article which precedes and introduces that of Jacques and Raissa Maritain seems to minimize the value and importance of the conclusions of a rational, scientific theology in this matter. He states (p. 88): "It is surprising to find men unimpressed by the voice of the mystics and more confident of their own abstract speculation. 'The efforts of the mystics to translate their mystical experiences into intelligent language,' writes Father Arintero, 'are of greater value and give us a better understanding of the ineffable mysteries of the spiritual life than what could be taught by speculative theology, which views these mysteries externally and only through the investigations of reason.'"

The article is entitled: "A Re-examination of the Liturgical Movement in the United States," *Spiritual Life,* V, 82-93. The above quotation seems to betray an unhappy regard for the conclusions of theological science; yet, surely, it is to theology that one is to look for guidance in judging the very writings of the mystics so praised by the author.

Law is fully realized in love—a love which expresses the Father's nature, for "God is love," manifested in Christ and exercised by man in the Spirit. The New Testament defines the Christian as "one who loves God" and who is distinguished from other men by his life of fraternal charity.[6] In the more technical terms of the Thomistic analysis, the theological virtues have God not only as their end but also as their *immediate object;* they are new powers of action, corresponding to the new life of the Christian. It enables him to imitate God and to exercise activities which draw man into the divine life of the Trinity. Charity is the greatest of these virtues, for it involves a real affective union of persons between God and the Christian. This union is distinct from the "intentional" union of faith or the assimilation to God proper to theological hope.

The theological virtues, according to Thomistic thought, receive their unique moral value because in their acts God himself, the ultimate measure of human activity, is attained immediately and directly.[7] Of these acts charity is the greatest, not only because it alone is eternal,[8] but also because in charity there is a closer union and a fuller assimilation to God in Christ. The noblest acts of these highest virtues are, absolutely speaking, the goal of *all* Christian activity. We are not able to set arbitrary limits on the classification of acts. It may be said, however, that the more intense acts of faith, hope and charity are man's highest actions in the scale of values. We know that the gifts of the Holy Spirit assist the operation of the theological (as of the other) virtues which, however, retain their absolute primacy. It may even be possible to say that some classes of the acts of faith, hope and charity are more noble than others. In general it is clear that the more intense act of charity, for example, is the better, whether this act comes while assisting at Mass, or in a moment of contemplative prayer, or while assisting a neighbor in his needs.

The theologian cannot determine by some mathematical formula valid for all individual cases just which type of charitable action

[6] *Rom.*, 8:28; *Eph.*, 6:24; *James*, 1:12; 2:5. On fraternal love as distinctive of the Christian: *John*, 13:35. Cf. Fenton, "Fraternal Charity among Priests," in *AER*, CXXXVII, 4 (Oct., 1957), 239-55.

[7] When dealing with the theological virtues, St. Thomas often notes the double (proximate and ultimate) measure or rule of human acts: *Summa*, II^a-II^{ae}, q.4, aa.5,6; q.17, a.1; q.23, aa.4,5,6.—On religion cf. II^a-II^{ae}, q.81,a.5.

[8] *I Cor.*, 13:13, and the commentary of C.Spicq, O.P., *Agapé dans le Nouveau Testament* (Paris: J. Gabalda, 1959), II, 104 ff.

is the nobler. It would be pointless to say that an act of charity towards one's enemy is greater in intensity than one directed to a dear friend, although it is quite legitimate, with theological tradition, to speak of an "order of charity," and thus to distinguish hierarchically the various (material) objects of charity. It is well, then, to avoid an artificial and rigid classification of acts of charity that would endow automatically certain acts with a higher value and a greater intensity. According to theological tradition, the love of God and the love of neighbor are formally the same, since both have the same formal object (which is the divine goodness loved in and for itself).

While thus avoiding artificial classification and any sort of quantitative evaluation, we may say that the human acts by which the Christian participates in the *liturgy* of the Church have a value which sets them above all other *non-liturgical* actions; this gives to them a distinctive and even unique character. Here the basic theological truth is that the acts of faith, hope and charity expressed and elicited in liturgical action are more than the individual human actions of the individual human agent. They are participations in the faith, hope, and charity of Christ and His Church. This is derived from the sacramental character, in virtue of which the Christian is united to and participates in the very actions of Christ and the Church. It may be said truly that the *liturgical* acts of the Christian have a transcendent value as compared with other actions, and this by the very nature of the sacred liturgy which is the "worship of the Mystical Body of Jesus Christ, that is, of the Head and members."[9] In the liturgy the Christian, sealed with the sacramental character, is acting in a sacramental union with Christ in his capacity as a member of the Mystical Body.

At this point, Maritain warns us not to compare individual prayer as such with the liturgy of the whole Church as such. Rather the legitimate comparison is to be made between this individual's participation in the liturgy and the same individual's personal contemplation.[10] However, even on the level of the person's own actions, we may properly contrast those acts which are

[9] This is the famous definition given by Pius XII in *Mediator Dei* (New York: America Press), pargh. 20. For a brief exposition, cf. Dom Cipriano Vagaggini, O.S.B., *Il senso téologico della liturgia* (Rome: Edizioni Paoline, 1957), pp. 30 ff.

[10] Maritain, *loc. cit.*, p. 99.

done as sharing in Christ's love and worship of the Father and those which do not have the special character of the liturgical act. Remembering Maritain's well-known notions on man as a person and as an individual in relation to human society, it seems that he is influenced here too by a healthy fear of over-emphasizing the social or group activities to the detriment of the personal. Yet we must keep in mind the essential difference between the liturgical action of the Christian and any other form of social activities in the political or any other sphere. The sacramental character of the liturgy and the consequent uniqueness of the person's liturgical actions remove many of the problems raised by Maritain, and allow us to see in liturgical participation far more than the social acts of the moral virtue of religion. Even when evaluating personal human actions, these considerations which are basic to sacramental theology must be kept in mind so as to avoid incomplete comparisons.

This, of course, does not invalidate the legitimate Thomistic distinction between the theological virtues and the moral virtues, nor is the consideration of religion as a virtue annexed to justice without merit. St. Thomas speaks of religion as a special virtue having as its object the rendering of due cult and worship to God. As such, its immediate objects are the acts of cult, and God is not the object but the *end* of these acts: the Being to whom cult is paid. In this, religion is said to resemble justice, for in religious worship are found analogously the qualities of otherness, of rendering a debt, and of performing an action due to another which are typical of justice. Yet religion is not a form of justice univocally, because the "other" is God, who is never wholly "other" to man, while the "debt" of cult rendered by the religious man to God can never achieve the quality and balance characteristic of justice itself. Man can never give to God what is His due in the same way that he can satisfy a human creditor, nor can man treat with God as he does with other men.

The virtue of religion, then, annexed to justice, governs acts which have a certain fittingness and propriety and which are expressions of the situation of man before God. These acts are primarily acts of worship, which is the objective debt due to God. Obviously, to make the rendering of this cult a moral action, such cult must be performed with the proper intellectual and moral dispositions, and these St. Thomas sums up in the notion of "'devo-

tion." By this inner voluntary disposition, man is properly motivated to perform those acts of cult, worship and sacrifice which are peculiarly appropriate to express man's indebtedness to God his Creator.

This Thomistic doctrine is valid as an analysis of the specific nature of the moral virtue of religion, but it does not pretend to cover all those actions by and in which man is united to God. Not only in the supernatural order but also in the natural order, man is united to God by acts of intellect and will which could not be reduced to the *officia religionis*—the acts of cult as such. Acts distinctive of the Christian go beyond the virtue of religion, for the acts of the theological virtues have God Himself (and not worship or anything created) as their immediate and specific objects. Yet we may go further and say that these very acts of the theological virtues are activities highly fitting and appropriate to God. As Cajetan noted,[11] we may look at the acts of faith, hope and charity as clothed with the quality of propriety and fittingness characteristic of the acts of religion. These theological acts then give a *just* and proper expression to the Christian's relation to God; they "have a new moral quality and represent an 'operation,' an objective deed, a determinate activity which the religious soul strives to regulate as is fitting."[12] In this way, St. Thomas explained the statement of St. Augustine that "God is worshipped by faith, hope and charity," and stated that any virtuous act can have about it the quality of being a sacrifice, an act of religion, when done so as to join man more closely to God.[13]

From two different points of view, then, the Christian's participation in liturgical worship goes *beyond* the strict limits of the moral virtue of religion. First of all, in the liturgy (above all in the Mass and reception of the Sacraments), the Christian is sharing in the very actions of Christ. Such activity, with its unique sacramental character, has a higher dignity than other actions of the Christian not related in this distinctive way to Christ. It may be noted that St. Thomas did not consider this specific character

[11] Cajetan *in* II^{am}-II^{ae}, q.81,a.5, ad 1.

[12] Jean Tonneau, O.P., in *Bulletin Thomiste*, VIII, p. 734.

[13] *Enchiridion*, c.3; *de Civ. Dei*, 10,6.—St. Thomas refers to the former in II^{a}-II^{ae}, q.81,a.5,obj.1; and to the latter in II^{a}-II^{ae}, q.85,a.3,obj.1. He gives a fuller discussion of the topic in the earlier work: *In lib. Boet. de Trin.*, q.3, a.2; cf. Vagaggini, *op. cit.*, pp. 558 ff.

of Christian liturgical actions in his treatment of the virtue of religion. Secondly, even if one looks at the personal acts of cult and worship in the liturgy, the theological virtues are operative and are *themselves* acts of worship without losing their eminent dignity.

Religion, or religious acts, then, can be defined strictly and validly and categorized in the field of justice. But religion or religious worship for the Christian mean much more. Thus the liturgy or participation in the liturgy is more than the exercise of the moral virtue of religion: it is man's sharing in the actions of Christ and the Church in a unique and sacramental manner. From a different point of view, acts of faith, hope and charity are certainly involved in liturgical actions and these virtues themselves assume a liturgical quality and may even be called, with St. Thomas, man's highest acts of spiritual sacrifice.

It is misleading to say that from the moral point of view the Christian's acts of liturgical participation are merely actions of the moral virtue of religion whose value is surpassed by the acts of the theological virtues. By giving a unique and eminent dignity to liturgical actions we do not deny in any way the high value of other acts of the spiritual life (whether these be non-liturgical devotions such as the Rosary or the Way of the Cross, or such exercises as meditation or mental prayer). It is not the desire of lessening these acts of devotion that motivates in any way a genuine liturgical movement. Granting that some liturgical enthusiasts may fall into exaggerations of formalism, or estheticism, or into what Father Bouyer rightly deprecates as archeologism,[14] the aim of a liturgical revival is to spread a theological understanding of the liturgy so that its spirit may permeate all the actions of the Christian life.

Included among the actions to be imbued with a genuine spirit of the liturgy is contemplative prayer itself. If liturgical participation is the most noble of Christian activities, then contemplation is seen in its highest form, not merely as a preparation for worship, nor as an action separate from the liturgy, but as a prayer exercised most nobly in the liturgy itself. The making of a dichotomy between liturgy and contemplation is dubious and unfortunate. To see the liturgy as little more for the individual than official, public vocal

[14] Louis Bouyer, *Liturgical Piety* ("Liturgical Studies": Notre Dame, Ind.: Univ. of Notre Dame Press, 1955), chap. 1 and 2.

prayer is to miss the fact that the liturgy, centered on the Mystery of the Cross and Resurrection, gives the Christian a most intimate union with the love and praise offered by Christ to the Father: it is to overlook the unique assimilation to God in the Church's liturgical life. On the other hand, it is unfortunate to describe contemplative prayer as a purely personal exercise, more or less separated from the liturgy. Actually the liturgy itself provides for the most fruitful activity of the highest prayer—a point seen clearly in the patristic tradition. Furthermore, the individual's non-liturgical and private prayer, which is physically and consciously separate from the liturgy, is itself nourished by the fruitful participation in the Church's liturgy. There is certainly nothing in the genuine Thomistic teaching about contemplation and its excellence which would divorce this intimate contact with God in love from that sacramental union established in and through the active participation in the liturgy.

The early ages of the Church would hardly have comprehended our modern problem of reconciling liturgical life with personal prayer. If later ages have lost some of this unity of outlook, or have misunderstood the liturgy in some degree, it is a principal aim of the liturgical revival to regain a more profound theological integration, without in the least denying the contributions to Christian spirituality made in the early and late medieval traditions. The liturgical movement is not based on an anachronistic preference for the patristic age. Its aim is rather to have the liturgy again assume its rightful place in the center of the Christian life. The liturgy is to be appreciated as the source and setting for both private prayer and social action, but it is to be understood primarily as constituting the Christian's noblest act of love and worship for the Father through the Son in the power of the Spirit.

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THE BASIS FOR CONCILIAR ACTION IN THE CATHOLIC CHURCH

Now that the preparations for the forthcoming ecumenical council have progressed so far, it is imperative that the priests of the Catholic Church should be more than ever cognizant of the place the council occupies in the life of the Church. To meet this need, a rather considerable body of literature on the nature and the function of the ecumenical council, and about the history of the previous ecumenical councils, has been made available to the public. But, as far as I have been able to see, very little indeed has been written to explain just how, or on what basis, conciliar action as such is possible and proper within the Church. That problem is singularly important. Upon the final resolution of that problem depends, in the last analysis, the individual Catholic's appreciation of the function of the councils, and ultimately of the ecumenical councils, in the activity of Our Lord's Mystical Body. The present paper is a modest attempt to indicate at least the outline of the correct solution.

Conciliar action means the exercise of jurisdiction by a group or *collegium* acting to direct and to impose obligation upon either the entire Church militant of the New Testament or some portion of it. This jurisdiction involves or can involve both rule or government and teaching. We must not allow ourselves to forget that the Church does not teach as other institutions teach. The doctrinal activity of the Church as such is always authoritative, and it is always an expression of the Church's power of jurisdiction. The *ex cathedra* teaching of the Sovereign Pontiff, the teaching of an ecumenical council approved and promulgated by the Sovereign Pontiff, and the teaching of the Catholic hierarchy throughout the world in union with the Sovereign Pontiff must be accepted as not only authoritative but infallible as well.

Within the collegiate jurisdictional activity of the Catholic Church we find two fundamentally different kinds of conciliar process. In the first the group is gathered and centered around one individual who alone among the members possesses the power of jurisdiction within the Church by divine right. The diocesan synods of the Catholic Church are examples of this type of con-

ciliar activity. In such gatherings the legislator or teacher is the man who possesses the power of jurisdiction *iure divino*. All the others have only a consultative vote in the synod. Essentially the decrees of the synod constitute the jurisdictional activity of the residential bishop. He alone signs the statutes of the synod.[1]

The other kind of conciliar activity within the true Church is that of a group composed, substantially at least, of many men who have jurisdiction in the Church by divine right. Some of these gatherings exercise jurisdiction over the entire Church militant of the New Testament. These are the ecumenical councils of the Catholic Church. Others issue authoritative decrees for certain sections of the Church. These are usually called particular councils, as distinct from the ecumenical.

Our problem chiefly concerns the type of ecclesiastical council which is made up substantially of men who possess the power of jurisdiction *iure divino* within the Catholic Church. The fact of the matter is that these men truly exercise jurisdiction *conciliariter*. They act as a *collegium*, as a group. All of them are meant to sign the decrees of the council. The decrees of the council are essentially, not the work of any individual member, but the work of the council itself.

This is true even in the case of the ecumenical council. Despite the fact that the Sovereign Pontiff summoned the Vatican Council, presided over its deliberations, selected the matter it was to consider, approved its decrees, and promulgated them, the two constitutions passed and issued by the Vatican Council, the *Dei Filius* and the *Pastor Aeternus* are not the work of Pope Pius IX but of the Vatican Council itself. As it happened, the members of the Council never had the opportunity to sign its decrees. If they had been given the chance, however, every one of them would have affixed his name thus: "Ego N. definiens subscripsi."

In cases like this we have jurisdiction within and over the true Church of Jesus Christ being exercised by a group and thus by the members of this group. In the case of a particular council, each member bishop affixes his signature to and thus acts to make his own decrees binding in conscience, not only upon the faithful of his own diocese, but upon all the faithful of the area for which the particular council is legislating. And, when there is an

[1] Cf. Canon 362.

ecumenical council, each member bishop affixes his signature to and makes his own decrees binding upon all the faithful of the entire Church militant. And, as we have seen, these decrees are attributed to the council and to its members even in cases in which there was no opportunity to sign the decrees.

This is the way in which the councils actually work. Quite obviously it is not the only possible way in which the Prelates of the Church could have worked together. It would have been quite possible for an ecclesiastical council to have been a gathering which agreed on certain decrees that were to be issued, and then had the Sovereign Pontiff issue these decrees for the universal Church, and each individual bishop issue them for his own diocese. But we are concerned with the actually existing conciliar activity within the Catholic Church.

The essential problem is this: by what right does such conciliar jurisdictional activity exist in the Catholic Church? Is it by virtue of what is fundamentally and substantially ecclesiastical law? Is there, and has there been, conciliar jurisdictional activity within the Church simply because the Church authorities, and ultimately the Holy Father, who alone possesses jurisdiction *iure divino* over the universal Church, have instituted this mode of proceeding within the Church? Or is this conciliar activity something that exists within the Church by reason of the fact that the divine constitution of the Church militant of the New Testament is, as it were, geared to this sort of jurisdictional activity? The answer to these questions is bound to throw light on the nature and the competence of the councils themselves. It will also serve to bring out highly important aspects of the divine constitution of the Catholic Church.

In the light of the evidence valid in the science of sacred theology the basic answer to our problem is clear. Our Lord's own teaching as recorded in the Gospels and the conduct of the apostles and of their earliest successors impel us to the conclusion that conciliar jurisdictional activity exists and operates connaturally within the Church by reason of the divine constitution of the Church militant of the New Testament. An individual residential bishop, whose own power of jurisdiction is strictly limited to the area of his own diocese and to the persons of his own subjects, can share in the power of the successor of St. Peter and issue decrees

binding on the faithful outside of his own diocese and even on the faithful of the Church universal because, in the last analysis, the Church militant of the New Testament has been established in such a way as to make this mode of operation connatural within it.

We must begin our consideration of the evidence by taking explicit cognizance of the fact that the power of jurisdiction within the Church has been granted by God Himself basically to individuals within the membership of the Church. The Roman Pontiff, as the successor of St. Peter, the Prince of the Apostles, has been given the responsibility for and the power of jurisdiction over the entire Church militant. Each individual residential bishop, as the successor of the apostles and as a member of the apostolic *collegium,* has God-given responsibility for and the power of jurisdiction over the faithful of his own local Church or diocese. Thus if any residential bishop other than the Bishop of Rome exercises jurisdiction validly over any person not belonging to his own diocese, he does this, in the final analysis, not by his own proper power, but by power he has received by way of delegation from the Roman Pontiff.

But the teaching of Our Lord as it is recorded on the pages of the Gospels makes it quite clear that He intended to set up His Church in such a way that the granting of this delegation would be proper and connatural within it. And the conduct of the apostles after Our Lord's ascension into heaven, as well as the conduct of the bishops of the early Church, the close successors of the apostles, shows that those who heard Our Lord's own teaching on the constitution of His Church understood Him in this way.

From the very outset the *magisterium* of the Catholic Church has been convinced that properly conciliar action in exercising the function of jurisdiction within the kingdom of God on earth according to the dispensation of the New Testament carried with it a special abiding of the Triune God within the assembly and a special protection emanating from Him. The *magisterium* saw this conviction as based upon the teaching set forth in *Matt.,* 18:20. There it is written: "For where there are two or three gathered together in my name, there am I in the midst of them." It is also founded upon the teaching proposed by the Apostolic Council of Jerusalem, which solemnly declared: "It hath seemed good to the

Holy Ghost and to us to lay no further burden upon you than these necessary things."[2]

An early and highly enlightening use of the Matthaean text is to be found in the opening lines of the letter sent by Pope St. Celestine I to the Council of Ephesus, the third among the ecumenical councils of the Catholic Church.

> The Bishop Celestine to the Holy Synod gathered at Ephesus: to the brethren We hold in charity and in great affection, greeting in the Lord.
>
> An assembly of priests attests the presence of the Holy Ghost. For what we have read is true, because the Truth, in whose Gospel there is the statement: "Where there are two or three gathered together in my name, there am I in the midst of them," cannot lie. Since this is so, if the Holy Ghost be not absent from such a small number, how much the more do We believe Him to be present now, when such a great gathering of holy men has assembled? For, according to the veneration due to it, the Council is holy, in which certainly now the dignity of the very numerous assembly of the apostles, of which We have read, is to be seen. For the Master whom they had received as the One they must preach has never been absent from them. The Lord and Master was always with them, nor have the teachers ever been deserted by their own Teacher. He who had sent them was teaching. He who told them what they were to teach was teaching. He who proclaimed that He would be heard in His apostles was teaching.[3]

In this passage Pope St. Celestine makes it abundantly clear that Our Lord's statement constituted a definite promise that the Blessed Trinity would be present in a special way in an assembly of members of the apostolic college which set out to exercise jurisdiction within the true Church. In his letter that presence is attributed both to Our Lord and to the Holy Ghost. It is obvious that the statement by the Apostolic Council of Jerusalem was also involved in his teaching.

It is quite interesting to note that Pope Pius IX, in his apostolic letter *Aeterni Patris,* likewise appealed to Our Lord's promise. The *Aeterni Patris* is the document in which the men who were to be the Fathers of the First Vatican Council were summoned to Rome

[2] *Acts,* 15:28.

[3] Joannes Dominicus Mansi, *Sacrorum conciliorum nova et amplissima collectio* (Florence, 1760), IV, col. 1283.

to take part in this assembly. It was issued June 29, 1869. In it we find this pertinent passage.

> And since Christ the Lord marvellously edifies, refreshes, and consoles us with these words: "Where there are two or three gathered together in my name, there am I in the midst of them," we cannot therefore doubt that He Himself will be willing to be present with Us in the abundance of His divine grace, by which We may be able to decree all those things which in any way pertain to the greater utility of His holy Church. Therefore, having prayed most fervently night and day in the humility of Our heart to God the Father of light, We have judged that this Council should most certainly be summoned.[4]

From the accounts given in the *Acts of the Apostles* we learn that the Apostles themselves very frequently acted as a group in exercising the ministry of jurisdiction within the infant Church. In the very first chapter of the *Acts,* we learn that the choice of the man who was to succeed the fallen traitor Judas Iscariot in the college of the Apostles was put by St. Peter himself into the hands of an assembly which included, not only the remaining original Apostles who had been appointed by Our Lord during the course of His public life, but also more than one hundred other "brethren."[5] St. Peter certainly exercised jurisdictional authority over this assembly. Yet, when the selection of two candidates was made, the appointment was attributed, not to St. Peter, but to the assembly as such. "And they appointed two: Joseph called Barsabas, who was surnamed Justus, and Matthias."[6]

St. Peter's first Pentecostal sermon, which constituted the first missionary act of the Catholic Church after Our Lord's ascension into heaven, was preached from the midst of the apostolic college. "But Peter, standing with the eleven, lifted up his voice and spoke to them: Ye men of Judea and all you that dwell in Jerusalem, be this known to you and with your ears receive my words."[7]

[4] The text of Pope Pius IX's *Aeterni Patris* is contained in the *Acta et decreta Sacrosancti Oecumenici Concilii Vaticani cum permultis aliis documentis ad Concilium ejusque Historiam spectantibus,* edited by the Jesuit Fathers of Maria-Laach and published in 1892 by Herder of Freiburg im Breisgau. The passage translated above is found in col. 4.

[5] Cf. *Acts,* 1:15.

[6] *Acts,* 1:23.

[7] *Acts,* 2:14.

Moreover, St. Peter stood with St. John when he delivered his first Christian sermon in the Temple, on the occasion of the cure of the man who had been lame from the time of his birth.[8] And, at the subsequent hearing before the Sanhedrin, Peter and John answered the Jewish leaders together.[9]

St. Peter was with the Apostles when he issued his condemnation of Ananias.[10] And it was the twelve that called together the disciples for the appointment of the first seven deacons.[11]

By far the most important example of this conciliar action within the infant Church, however, is to be found in the account of the Apostolic Council of Jerusalem, described in the fifteenth chapter of the *Acts of the Apostles*. In this account we learn that, after a most serious dispute between Saints Paul and Barnabas on the one side, and some Christians who had come down from Judea to Antioch, "they determined that Paul and Barnabas and certain others of the other side should go up to the apostles and priests to Jerusalem, about this question."[12] Further on we read that, in Jerusalem, "the apostles and ancients assembled to consider of this matter."[13] The definitive decision on the problem given by St. Peter, and the suggestion made by St. James, the apostolic bishop of Jerusalem, were accepted, not only by the other apostles and by the elders, but by the entire Church. We read: "Then it pleased the apostles and ancients, with the whole church, to choose men of their own company and to send to Antioch with Paul and Barnabas, namely Judas, who was surnamed Barsabas, and Silas, chief men among the brethren."[14]

The council sent a letter, which was headed: "The apostles and ancients, brethren, to the brethren of the Gentiles that are at Antioch and in Syria and Cilicia."[15] And this letter stated: "For it hath seemed good to the Holy Ghost and to us to lay no further burden upon you than these necessary things."[16]

[8] Cf. *Acts*, 3:11 f.
[9] Cf. *Acts*, 4:19.
[10] Cf. *Acts*, 5:2 f.
[11] Cf. *Acts*, 6:2 ff.
[12] *Acts*, 15:2.
[13] *Acts*, 15:6.
[14] *Acts*, 15:22.
[15] *Acts*, 15:23.
[16] *Acts*, 15:28.

It is quite obvious from the wording that the men who wrote that letter were convinced that the Blessed Trinity was in a special way present with them when they exercised that act of jurisdiction within the Church of the living God. It is also clear that they attributed this special presence in a particular way to the Third Person of the Blessed Trinity.

Our Lord had promised His own presence where two or three were gathered together in His name.[17] And He had likewise taught clearly that the one who saw Him saw God the Father also.[18] It was in virtue of this truth about the circumincession within the Three Divine Persons that the Council of Jerusalem could use Our Lord's teaching to attribute the divine presence within a council to God the Holy Ghost.

During the period between the death of the last of the apostles and the first ecumenical council, that of Nicea in 325, there were innumerable particular councils within the Church.[19] If there is one thesis which can be accepted as backed by the authority of history, it is the thesis to the effect that the conciliar activity has always been considered proper and connatural within the jurisdictional operation of the Catholic Church, precisely as something to which the divine constitution of the Church itself is adapted.

We must, of course, realize that the council, and particularly the ecumenical council which exercises jurisdiction over the entire Church militant of the New Testament, is not envisioned in the divine constitution of the Church as something absolutely necessary. There has not been, and there never can be, a doctrinal problem which could surpass the competence of the Roman Pontiff acting by himself. Yet, despite this fact, there have been many situations which are such that the competent authority of the Church universal has judged that they could most effectively be resolved by conciliar rather than by individual action.

The great advantage of the council is to be found in the fact that, better than any other agency, it brings out the essential and supernatural unity of the true Church. By its very nature the ecclesiastical council is fitted to show how the members of the

[17] Cf. *Matt.*, 18:20.

[18] Cf. *John*, 14:9.

[19] Cf. Hefele-Leclercq, *Histoire des conciles d'après les documents originaux* (Paris: Letouzey et Ané, 1907), I, 125-334.

apostolic college are joined to one another and to Our Lord by the unity of faith and the unity of charity. The decrees of the council are the decrees of the entire membership of that assembly. Once the debates and the inquiries that have led up to the decrees have been put aside, the entire council puts forth as its own teaching the salutary doctrine of Our Lord Himself. There is no more effective nor striking exemplification of the unity of Our Lord's Mystical Body.

Furthermore, the council, and in particular, of course, the ecumenical council, presents Our Lord's teaching in the most solemn and forceful manner. It must be remembered that the ecumenical council has no more authority and no more guarantee of infallibility than has the Roman Pontiff speaking *ex cathedra.* Yet it cannot be denied that the spectacle of the entire *magisterium* of the Catholic Church solemnly decreeing some teaching of faith or morals can attract attention and impress the minds of the faithful in a way that no other agency can possibly equal. And this particular utility of the general council is explained, in the last analysis, by that divine indwelling in the legitimate council which was promised by Our Lord, and which was recognized by the apostles and the elders in the first council of Jerusalem.

The statements of Pope St. Celestine and of Pope Pius IX make it abundantly clear that this special indwelling of the Holy Ghost within the ecclesiastical council carries with it special help and blessings for the purpose of the council itself. Now the purpose or the work of the council is, in the last analysis, that of the jurisdictional power of the Catholic Church itself. And the Sovereign Pontiff and the residential bishops of the Catholic Church have been given the power of jurisdiction within the Catholic Church precisely in order that they might effectively discharge their responsibility to feed and to act as shepherds towards the lambs and the sheep of Jesus Christ.

So it is that, in the forthcoming ecumenical council, we may confidently expect some extraordinary graces and helps will come to the Catholic Church by reason of the fact that God will be in a special way present to and in that gathering. These graces will be such as to free the Church from the dangers that threaten its members from doctrinal errors which have hitherto disturbed the security of the Catholic faith in some of the Church's members.

They will also be such as to direct the membership of the Church away from practices which would be harmful to or incompatible with the purity and the integrity of the supernatural life.

By reason of the indwelling of the Holy Ghost in the forthcoming ecumenical council, the spiritual well being of the members of the Church will be advanced. The way will be opened for new members to worship the Triune God within the Mystical Body of Jesus Christ. The external glory of the living God will be advanced.

The salutary decrees of this forthcoming council will be issued and signed by the Roman Pontiff and the residential bishops of the Catholic Church, who will be members of the council by divine right, as possessing the power of jurisdiction given to them by Our Lord Himself. There will be other members of this council who will take part in it and sign its decisions because they have been given place there by the force of ecclesiastical law.

The decrees of this council will have binding force only when they have been confirmed and promulgated by the Roman Pontiff, who alone has the power of jurisdiction over the universal Church militant. And all the other members of the council both those who take part in it by divine right, and those who form a part of that assembly by ecclesiastical law, will be able to rule and teach for the universal Church only by reason of a power delegated to them by the Sovereign Pontiff.

But the members of the true Church derive their joy and consolation from their awareness that there will be present in this council, not only these prelates of the Church, but the Triune God Himself. And the decrees of the council, which will further the cause of man's salvation and of God's glory, will be effective precisely because they will have been decided upon and will have been pleasing to the members of the council and to the Triune God who will dwell within that council with His blessings.

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Answers to Questions

DUPLICATION OF STATUES

Question: Is it permissible to have two statues of the Blessed Virgin Mary in the same church? At the present time there is a statue of Mary at the altar dedicated to her. Would it be permissible to erect another statue (Our Lady of Fatima) in the vestibule of the church? This statue would be part of a memorial erected by the parishioners for those who died during the Second World War.

Answer: Matters Liturgical (10th ed.: No. 163 f.) tells us: "More than one image of Our Lord or Our Lady under the same title or more than one image of the same Saint may not be exposed publicly in the same church or oratory (S.R.C. 3732; July 11, 1942)." Assuming that the statue at the altar is not Our Lady of Fatima, you are free to add the proposed statue even if you place it in the church itself.

ABSENCE OF A SERVER AT MASS

Question: What is the current status of the problem regarding the celebration of Mass without a server? If there is no server, what changes in the prayers are involved? If nuns can make responses from outside the sanctuary, why cannot a layman do the same? Is not the sole purpose of the acolyte to indicate at what point of the Mass the celebrant died, when another priest comes to complete the Sacrifice?

Answer: The Instruction of the Sacred Congregation of the Sacraments issued on Oct. 1, 1949 is, I believe, the latest official pronouncement on this problem. This Instruction tells us there are very few exceptions to the law requiring a server at Mass, and then goes on to cite four exceptions as unanimously accepted by liturgists and moralists: (a) if Viaticum must be given and there is no server available; (b) if the people must fulfill the precept of hearing Mass; (c) in time of epidemic, when it would be difficult to find a server and the priest would have to abstain for a notable time from celebrating; and (d) if the server should leave during

the Mass, even between the Offertory and the Communion. The lenient view that Mass may be celebrated without a server merely for devotion's sake or even for the sake of making it possible for people to receive Communion seems to be definitely outlawed by the 1949 Instruction. This document echoes the words of Pius XII in the *Mediator Dei:* "Though it is clear from what We have said that the Mass is offered in the name of Christ and of the Church and that it is not robbed of its social effects though it be celebrated by a priest without a server, nonetheless, on account of the dignity of such an august mystery, it is Our earnest desire—as Mother Church has always commanded—that no priest should say Mass unless a server is at hand to answer the prayers, as canon 813 prescribes" (America Press, 97). Some individuals or communities may have an Apostolic Indult for Mass without a server but in recent years this indult has been extremely difficult to obtain; when it is granted, the proviso is now always added that a member of the faithful must be present at the Mass.

When a priest offers Mass without a server, he makes the nine supplications himself at the *Kyrie* (*Ritus* IV, 2) and also says the *Suscipiat* in answer to the *Orate, fratres,* substituting *"de manibus meis"* for *"de manibus tuis"* (*Ritus* VII, 7). He says the *Confiteor* only once (S.R.C. 3368, 1) and, although there is no official word on the point, rubricians reason that this *Confiteor* is to be said in the same form as that prescribed for the private recitation of the Office, viz., *Misereatur nostri, etc.* All other responses usually given by the server are made by the celebrant without any change.

There is no legislation, as far as I know, that prohibits a layman from making the responses from outside the sanctuary and, indeed, if there were only one lay man in church who knew the responses and he was a cripple, why should he not answer the priest from outside the sanctuary in preference to a woman? On the other hand, why keep a man outside the sanctuary when he is able to perform the various services required at Mass as well as answer the prayers of the celebrant?

Perhaps the requirement of a server owes its origin to the reason you suggest but I have not seen this reason mentioned, certainly not in recent literature. Most writers speak of the dignity with which the Mass should be celebrated and the danger of laxity and negligence if a priest would habitually offer Mass without a server.

ROSE-COLORED VESTMENTS

Question: Is the use of rose-colored vestments confined to Gaudete and Laetare Sundays?

Answer: Rose-colored vestments may also be used on the Monday, Tuesday, and Thursday after Gaudete Sunday when the ferial Mass (Introibo: *Gaudete in Domino*) is celebrated. They may not be used on the ember days which occur in the same week, nor may they be used in the ferial Masses succeeding Laetare Sunday. These vestments may be used for Low Masses as well as Solemn Masses and for the Sunday Office (e.g., Vespers).

DIVINE OFFICE IN THE VERNACULAR

Question: Is there any reputable Catholic moral theologian who claims that it is possible to fulfill the obligation of the Divine Office by saying it in English? I am referring to the obligation of priests of the Roman Rite.

Answer: If there is such a theologian, I would guess that he is no longer reputable. Capello says that the required substantial form of the Office is violated if it is recited in the vernacular and hence the obligation is not fulfilled. Many authors indeed do not touch on the point at all, perhaps taking for granted that the requirement of the *Breviarium Romanum* excludes any possibility of the use of the vernacular to satisfy the obligation.

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DISHONESTY IN A PUBLIC EMPLOYEE

Question: A foreman in a city department of labor finds that certain dishonest practices are expected of him. For example, he is supposed to give freely to some persons favored by the "bosses" large amounts of material belonging to the city, and also to have jobs done at the expense of the city for these same "good friends." Also, he is expected to give some of the other employees credit for working on days when they did no work. If he does not co-operate with such dishonest procedures, he will lose favor with the "bosses," and be impeded in his efforts to get a promotion—

perhaps even lose his job. In such circumstances may he "go along" with these practices?

Answer: The practices described have become all too prevalent in modern political life in America; and unfortunately there are some Catholics who believe that they can lawfully co-operate on the grounds that "everybody is doing it," or "you can't keep your job if you don't go along with the bosses," etc. But is this attitude justifiable according to Catholic standards of morality? I cannot see how it is. To me it seems to be an unlawful concession to the spirit of dishonesty that is so prevalent in all fields of life in our country today. In politics, in business and industry, in social and recreational life even the most fundamental principles of justice seem to be forgotten or neglected by many. The recent TV scandals prove that there are many dishonorable people in our land, even among those who are intelligent and reputedly decent. The chance to get rich seems to obscure all principles of morality.

But this affords no reason for Catholics to join in this growing abuse. Catholics receive from their Church definite teachings on justice and truthfulness. They know that when they are confronted with a choice between the observance of God's law and financial loss—even financial ruin—they must choose to obey God's law.

The excuses that are sometimes alleged by those who practice dishonesty in politics or business are very weak. When such persons say: "Everybody's doing it," they are trying to rationalize. Thank God, there are still some honest persons in the world, and those who seek to include everyone in the same category as themselves are simply telling another lie. The argument: "If I don't play along with the crowd, I'll lose my job," is much overworked. It might be the case sometimes, but usually when a man lets it be known, by word and by deed, that he is not going to take part in dishonest practices, he will be let alone and not discharged. In fact, he may be secretly admired by those who have not the courage to imitate him, or he may even induce some to follow his example. But, even if he does lose his job or is kept from advancement, he should not waver in his loyalty to the principles of honesty. That is one of the instances in which a person must think of the words of Jesus Christ. "What does it profit a man, if he gain the whole world, but suffer the loss of his own soul? Or what will a man give in exchange for his soul?" (*Matt.*, 16:26).

Catholics should remember, too, that dishonest practices on their part may easily give scandal. When persons of other religious beliefs, knowing that Catholics claim to have the one true faith, see their Catholic co-workers engaging in unjustifiable practices, their first reaction may very well be: "What a weak religion Catholicism must be, when it cannot induce its members to live up to their principles!"

I believe that we can say unhesitatingly that Catholics who indulge in the practices described by our questioner are weak in their faith. They may go to Mass regularly and even receive the sacraments (worthily, we hope), they may be pure and temperate in their personal lives—but they should bear in mind that to violate the law of God seriously even in one respect will deprive the soul of sanctifying grace. It is hard to see how a person can have strong Catholic faith when he is so inconsistent. What assurance have we that in the event of a persecution such a Catholic would be loyal to his faith?

I believe, therefore, that when priests are asked about dishonest business and political transactions such as are described in the question, they should reply that they are sins against God's law —even though they are sometimes sheltered under the name of "sharp practices"—and that, if a serious amount of money is involved, they are mortal sins.

AN INVALIDLY MARRIED TEACHER

Question: One of the instructors in a Catholic girls' school (the athletic director) is a Catholic woman who has been divorced from her lawful husband and has subsequently contracted a civil marriage. Should she be allowed to retain her post?

Answer: I cannot see how such a person can be retained as an instructor in a Catholic school—at least, if her marital status is publicly known. For, to permit a woman involved in so sinful a situation to remain in a post of responsibility, in which her example will surely have some influence on the pupils, is necessarily a source of grave scandal. The pupils are likely to receive the impression that it is a very minor fault for a married woman to obtain a divorce and to attempt another marriage—and this impression may have a bad effect on the lives of some of them in

future years. Perhaps a slight change in the way of proposing this case will confirm this solution. Suppose that the woman was one who had simply deserted her husband (without obtaining any civil divorce) and was living in open concubinage with a man. Would the Catholic school then employ her as an instructor? I am sure that the authorities of every Catholic school would refuse to employ such a woman. Yet, in the eyes of God and of the Catholic Church the woman described in the question is substantially in the same situation as the other. The fact that she has had a civil divorce and a civil marriage does not alter the fact that she is living in open concubinage.

SHARING OUR GOOD WORKS WITH OTHERS

Question: To what extent can we communicate to others the benefit of our good works? How is this realized in the offering of Holy Communion for another person?

Answer: Every good work we perform can possess three types of supernatural value—merit, satisfaction and impetration. Merit is that phase of a good work performed by one in the state of sanctifying grace which wins for the agent an increase of grace and the title to an increase of glory in heaven. This cannot be transferred to another, because it is based on the increase of God's favor toward the person who performed the good work. The only one whose merits can benefit others is Jesus Christ, who, as moral Head of all mankind, acquired infinite merit for the members of the human race. (We are speaking of merit *de condigno,* for it is held that *de congruo*—which is merit in a wide sense, akin to impetration—one may merit for another). The satisfactory element of a good work, its value to pay the debt of temporal punishment, can be transferred to another human being, living or dead, as long as he is in the state of grace. This teaching is based on the doctrine of the communion of saints, according to which one member may pay the debt of temporal punishment for another. It is the basic reason for the treasury of the Church, the font of indulgences, in as far as it contains the superabundant satisfactions of the saints. The impetratory value of a good work, its worth as a prayer of petition, can also benefit others, since we can pray for all, both living and dead. However, the infallible efficacy of

prayer promised by Our Lord (*John,* 16:23) belongs only to prayer for oneself (cf. St. Thomas, *Summa,* II-II, Q. 83, a. 7, ad 2).

When we say that we offer a Holy Communion for another, we do not mean that we can transfer the sacramental effects of our communion to that person. These effects benefit only the recipient, just as food benefits only the one who eats it. But we can transfer the satisfactory and impetratory values of the prayers said on the occasion of Holy Communion to another. We can also offer for the souls of the faithful departed the indulgences we may gain when we receive the Blessed Eucharist (cf. Connell, *De sacramentis ecclesiae,* I, n. 245).

EVENING HOLY COMMUNION

Question: When an evening Mass is being celebrated in a church, is it permitted in the course of the Mass to distribute Holy Communion from a different altar than the one on which the Mass is being celebrated?

Answer: I see no objection to such a procedure. The Constitution which gives the faithful permission to receive Holy Communion during an evening Mass (or immediately before or after) says nothing as to whether the Blessed Sacrament is distributed from the same altar on which Mass is being celebrated or from another altar (cf. Bouscaren, *Canon Law Digest,* IV, 276).

FRANCIS J. CONNELL, C.SS.R.

Book Reviews

FATHER CONNELL ANSWERS MORAL QUESTIONS. By Very Rev. Francis J. Connell, C.SS.R., edited by Rev. Eugene J. Weitzel, C.S.V. Washington, D. C.: The Catholic University of America Press, 1959. Pp. 210. $3.95.

The Editor's preface makes three significant points about *Father Connell Answers Moral Questions:* (1) The book is made up of contributions previously printed in *The American Ecclesiastical Review,* (2) it is a *selection* of such contributions, and (3) ". . . the questions have been revised by the author in light of the most recent theological data and opinions."

A work of this nature should be evaluated, it would seem, from the point of view of its purpose, over-all plan, and theological doctrine.

The purpose of the book is to assist both the clergy and laity in the acquisition of deeper theological knowledge by examining and solving ordinary moral problems, especially those which have arisen in modern times. (See Author's Preface.) The book, therefore, is not an organized treatment of theological principles, but a work in which principles are applied to individual problems. Since the problems discussed are of contemporary interest, the book certainly succeeds in presenting useful theological information for the priest and layman. As usual, Father Connell's style is direct, clear, and succinct.

The over-all plan of the book has, to my mind, this limitation; in using only the "Answers to Questions" as its source, many of Father Connell's valuable and more extensive articles have not been included. Pertinent footnote reference to his several books and many articles would have been helpful.

As to the selection of the questions themselves, many of those chosen are of pertinence in the context of modern life, for example, the Catholic lawyer's duties in drawing up legacies (n. 57), ligature of the fallopian tubes (n. 66), organic transplantation (n. 69), sterilization (n. 72), narcotherapy (n. 75), new rules on fasting (n. 91), adolescent company keeping (n. 98), administration of baptism to unknown dying persons (n. 106), parents receiving with first communicants (n. 115), the problem of proposed mixed marriages (n. 162), artificial insemination (n. 179), lawful use of rhythm (n. 181), and the use of sterilizing drugs (n. 184). It could be noted that the book does not contain Father Connell's very helpful answers to questions centering around the obligations of one party to a marriage when the other party insists on artificially impeding conception.

As far as theological content is concerned Father Connell makes many contributions. He would permit, in certain cases, the urging of non-Catholics to attend their own religious instructions (n. 9); he introduces a treatment of the thorny problem of coalescence of small thefts by saying: "It is incorrect to state without qualification that the intention of ultimately stealing a large amount through small thefts is a mortal sin," and then explains very clearly and accurately the necessary qualifications (n. 26); his computation of the absolute sum for grave theft is relatively generous, "about $80 to $85" (n. 27); he, together with most theologians, continues to insist on the distinction between combatants and non-combatants; he makes his own Ter Haar's teaching on company keeping between Catholics and non-Catholics (n. 162).

In more controversial areas Father Connell defends the probability of the liceity of organic transplantation (n. 69); permits the conditional baptism of any unconscious and unknown dying person because of "the law of chance" (n. 106); rejects present day prizefighting as immoral (n. 61); very courteously rejects Father Kelly's view that the use of rhythm is permitted to any couple, provided they have brought four or five children into the world, even though no other justifying reason is present (n. 181). On this last issue Father Connell's arguments appear very strong, but one could perhaps mention that a large number of theologians regard Father Kelly's opinion as solidly probable.

Father Connell does not discuss at length the case in which a woman's uterus is so scarred by repeated Caeserean operations that medical judgment anticipates she can no longer carry a pregnancy without serious danger of uterine rupture. He opposes the view that the uterus may licitly be removed, allowing it only if at present it is seriously pathological. Father Edwin F. Healy, S.J., likewise rejected the liceity of such a mutilation, but insisted that the contrary view had no intrinsic probability. Father Connell notes that there are some who defend the liceity of hysterectomy in this situation, but refrains from judging the probability of their opinion.

PAUL E. MCKEEVER

THE EXCAVATIONS AT QUMRAN. By J. van der Ploeg. Translated by Kevin Smyth, S.J. New York: Longmans, Green & Co., 1958. Pp. 233. $4.00.

Because the Dead Sea scrolls continue to excite public interest and because of their importance to religious teaching, every priest has an obligation to inform himself on this subject. No better book for the

purpose can be recommended than the one here reviewed. If popular interest in the scrolls has not flagged, neither have the misconceptions concerning them been laid to rest. Even today, fifty cents at the corner drugstore will supply the uncritical buyer with a book presenting as the only true interpretation of the scrolls a very radical one which was early proposed by two scholars and widely spread among the public by means of radio and popular publications; the scrolls, says this book, shake the foundations of established religion. The subsequent rejection of such views is less widely known. Father van der Ploeg's book should help remedy this situation.

The author is a scholar whose acquaintance with the scrolls goes back to the earliest days of their discovery. The particular value of this book lies in the balanced approach of presenting the history of the finds, the background of the Qumran sect along with its teachings, and the doctrinal import of the content of the scrolls. In the course of the book the author also traces the origins of the extremely radical views mentioned above, and the more mature reaction of virtually all scholars after detailed examination of the texts was made possible.

The book begins with a rather detailed account of the finding of the scrolls, the purchase of many of them by the Syrian Archbishop of Jerusalem, and the difficulties of finding anyone who would accept them as genuine. Earliest credit in this goes to Professors Sukenik and Albright who assigned early dates to the manuscripts, independently, by paleography; their conclusions were subsequently confirmed by other methods. The second chapter gives the essential points of Jewish history from Maccabean times until the second century, A.D., and forms a good background for later parts of the book. An explanation of the Pharisees and Saducees introduces a description of a third important group, curiously unmentioned in the New Testament, the Essenes. A later chapter tells more about Essene teachings, reconstructs the history of the Qumran site from Archeological data, and describes the religious brotherhood which dwelt there, most probably a group of Essenes. The following section tells of the beliefs of the Qumran brotherhood and its organization, as known from the scrolls.

The discussion of the manuscripts has the merit of pointing out something that is often missed: the presence of biblical texts which, being the earliest known manuscripts of the Old Testament, shed light on problems of textual criticism and the fixation of the established text. The non-biblical texts supply information about the Qumran sect, and their types and contents are described in broad outline.

A final chapter is devoted to the comparison of Qumran beliefs and New Testament teachings. In this section the author purports to point

out first the differences (against those who try to make Qumran a proto-Christianity) and then the similarities. However, even in discussing the similarities, the author is at pains to show how Christianity is different, and thus the importance of Qumran as a background for the New Testament fails to appear. This, it must be admitted, is a serious shortcoming. The mention of just one or two good articles on each of the problems raised, in addition to the brief bibliography of general works, would have made the book much more useful.

In spite of these negative remarks, the book is to be recommended as filling the need pointed out in the first paragraph of this review. Of the several good, popular works on the subject, this one is especially useful for its clear, up to the date explanation of the inaccurate interpretations of the scrolls foisted upon the public.

JOSEPH JENSEN, O.S.B.

JOY IN THE FAITH. Meditations by Auguste Valensin, S.J. Translated by Alastair Guinan. New York: Desclee Company, 1959. Pp. 435. $4.00.

The name of Father Auguste Valensin, S.J. (1879-1953), is well known for his philosophical and other works. The present volume reveals another and altogether more intimate side of his personality. It is a series of his own meditations (about 200 of them) during the years 1937, 1938 and 1939. They represent the free flow of his thoughts during meditation from day to day. He is thinking and praying aloud; or more exactly thinking and praying in writing. But the writing was for his own use and not done with a view to publication. However, since he occasionally read some of these meditations privately to gatherings of his friends, it was decided that he would not have objected to their posthumous publication, with certain minor omissions dictated by discretion.

The book lives up to its title. It glows with joy, a spiritual joy that is based on living faith. The *angoisse* about which his contemporaries are so articulate, if it exists at all in the serene soul of Father Valensin, is swallowed up and annihilated in the depths of his faith. Again and again he returns to the theme of the precious gift of his faith, the need of safeguarding through prayer, the wonder of it, the goodness of God in giving it to him. His joy in the faith is that of a child who rejoices in the most loving of fathers. The subject matter ranges through the liturgical year, the feasts of the saints, frequent meditations on Our Lady. But the central theme to which he always returns is that of the loving Fatherhood of God.

The popularity of the French edition (over 50,000 copies) is not hard to understand. You cannot open this book anywhere without finding spiritual refreshment. So many meditation books speak to God with words the ordinary reader cannot sincerely make his own. But when reading or meditating this book men and women of every station in life have been able to identify themselves with its author and find in his words the words they want to say to God themselves. There is little of speculation; much of simplicity, joy and love.

At the end of his life Father Valensin spoke some words which epitomize his spirituality as revealed in this volume. When he was at the point of death he said to the nurse who was attempting to close the blinds: "Please leave them open . . . let the light come in. Joyous is the announcement of Death! I am going to meet my God, who is also my Father, all goodness and loving kindness!"

JOHN C. FORD, S.J.

BASIC SPIRITUAL MEANS. By Philip E. Dion, C.M. New York: Joseph F. Wagner, Inc., 1959. Pp. 255. No price given.

The very limited object of this work does not recommend it as a textbook of the spiritual life, dealing as it does with only a few of the means of perfection. Those explained here are: mental prayer, the particular examen, abandonment to the Will of God, purity of intention, motivation, weekly confession, the part played by the Blessed Virgin in our daily spiritual exercises. Of all the moral virtues, the author has chosen only obedience and humility as basic means.

The lucid and practical treatment of these subjects is such as to recommend this book for spiritual reading and for instruction of young Religious, especially in noviciates and juniorates.

While the theological element is not entirely left out of the development of these instructions, the rational and psychological analysis prevail throughout. A popular style and a certain sense of humor make the reading of this book both pleasant and instructive.

PASCAL P. PARENTE

IN THE WHOLE CHRIST. By Monsignor Emile Guerry. Translated by M. G. Carroll. London: St. Paul Publications, 1957. Pp. xix + 331.

Good meditation books are rare and *In the Whole Christ* by Archbishop Guerry is a rare book. We are told by the author in his

introduction that the "aim of this book is to propose for the reader's prayerful reflection, the . . . phrase . . .: *In Christo*—which, for the purpose of our present context, we translate as:: *In the Whole Christ.*"

This is a series of meditations which encompasses the mystery of the Personal Christ and the Mystical Body, the Catholic Church. The meditations are dogmatic, without being too theological; prayerful, without getting lost in sentimental piety.

The book is in three parts: the first considers the mystery of the Personal Christ, the Head of the Mystical Body. It is concerned with the mystery of the Church, but only as seen in the Head of the Church, and takes up the sovereignty of Christ over men, the foundation of the mystery of the Christ-Head in the doctrine of the Church, and the response which men must make to this mystery.

Part two is directly concerned with the Mystical Body. It covers both the relations of the members to Christ and the relations of the members to one another.

The third part is on the visible Church, the identity of the Mystical Body with the Catholic Church. Archbishop Guerry says that these three parts are not independent of one another. "We would prefer to regard these three parts . . . as though they were three versions of the same picture, painted from three distinct viewpoints. Or to be more explicit, as the mystery of the Whole Christ, presented as in a sense comprising three mysteries, each containing the others."

Speaking of the Mystery of the Whole Christ, the author says, "It is announced in the Old Testament, and is given in the New Testament, but it must unfold its dimensions in the centuries that follow." *In the Whole Christ* will do much to unfold this mystery to the minds and hearts of many.

EDWARD DONOVAN, C.S.P.

THE MASS IN MEDITATION. By Theodor Schnitzler. Translated by Rt. Rev. Msgr. Rudolph Kraus. Vol. I. St. Louis, Mo.: B. Herder Book Co., 1959. Pp. vii + 247. $4.50.

To those who are acquainted with the scholarly contributions of Nicholas Gihr and Joseph Jungmann to liturgiology, Theodor Schnitzler's *The Mass in Meditation* will be most welcome.

Treating only of the Canon and Consecration in this first volume, Fr. Schnitzler provides his readers with a Theological *Gestalt* of the Canon by integrating in an harmonious, unified, and simple manner all the branches of the sacred science against a background of meditation.

A glance at the detailed index of contents will give the reader an idea of the comprehension of the work. The author includes an introductory chapter on the fundamental notions of the Holy Sacrifice, explaining its origins and implications in clear, concrete and concise language. His analysis of the structure, history, action, and phraseology of the Canon is replete with poignant thoughts for meditation. The following are some of the thought-provoking concepts fused into the meditation material: "We will soon discover that the sobriety of the Canon is an *ebria sobrietas,* a sobriety that is intoxicated with a wealth of hidden treasure" (p. 22). "When someone comes from a large, noisy city and enters into a lonely forest, he feels the unaccustomed silence rising in him like the tall trees about him. He breathes in peace as well as the clear air. We experience the same thing when the rhythm of the peace of the Canon surrounds us" (p. 28). "The Saints at the side of Christ are more than mere companions. They sit with Him in judgement. Their holiness judges our sinfulness. Their love is a judgement on our tepidity. Their perserverance unto the end pronounces sentence upon our faltering courage. Their humility becomes the sentence of judgement upon our pride" (p. 67). His sketches of the characteristic virtues of the Apostles and the other Saints mentioned in the "Communicantes" are well written. A few pertinent thoughts for priestly sanctity are given with each of these delineations.

The second part of his first volume treats of the text and rite of the Consecration. He analyzes the meaning behind each word of the "Holy of Holies" of the Canon, the Consecration. Drawing extensively from Sacred Scripture, especially from the mystical content of the Apocalypse, the author offers to the priest a rich treasury of thoughts for this most solemn part of the Holy Sacrifice. He seems to digress from the meditative spirit of the rest of the book in Chapters 3 and 16 which deal with the history of the Canon and the ceremonies of Consecration. However, they are informative and interesting. What may be the weak point of this book is its scholarly approach to meditation to the extent that the reader is left to his own to develop a more affective comprehension of what the Mass means to himself. This, however, is the basis of meditation anyway, viz., that the person supplies from his own mind, or through the instrumentality of a meditation book, thought-provoking ideas which can be used as "springboards" to an affective union or conversation with God. It is knowledge which leads to love. Father Schnitzler has provided us with a rich source of knowledge in his book. The kind of knowledge which will lead the clergy and others to the love of this greatest act of religion, and to the love and imitation of Him who is both High Priest and Victim.

ANGELUS A. DE MARCO, O.F.M.

CONFESSIONS OF A ROMAN CATHOLIC. By Paul Whitcomb. Los Angeles: Loyola Book Company, 1959. Pp. 62. 50¢.

THE CATHOLIC CHURCH INVITES YOU. By James V. Linden, S.J. St. Louis: B. Herder Book Company, 1959. Pp. ix + 118. $2.50.

These two books are alike in that both of them are unusually strong appeals to contemporary non-Catholics to examine the claims of the Catholic Church to be the one true Church founded by none other than Jesus Christ, the Second Person of the Blessed Trinity. Both books emphasize the unity of the Church. Christ founded only one Church. It is obvious that He intended His Church to remain one. If divine authority in matters of faith and morals is to be found in the world today, it can be only in the Church which has never departed from that unity which the Church had in Apostolic times. Contemporary Protestants —of both the liberal and fundamentalist schools—are distressed by the multiplicity of sects and denominations. The so-called "Ecumenical Movement" is one of the outstanding characteristics of Protestantism today. Both of these books show their timeliness in appealing to the argument from the unity of the Catholic Church.

Paul Whitcomb, the author of *Confessions of a Roman Catholic,* attended Episcopal, Methodist, Congregational and Baptist Sunday schools as a child. He married a Lutheran and joined the Lutheran Church. Later on, he moved to a locality where there was no Lutheran Church, and became a Methodist. In course of time, he was ordained a Methodist minister. He was always a devout lover of the Bible. But he was puzzled by the fact that even among sincere people there was so little agreement on the interpretation of the Scriptures. In his book, he proves from the Bible itself that something more than the Bible is needed if a person is to be certain as to the revelation that Christ brought to mankind. That "something more" is the divine (and therefore, infallible) authority of the Catholic Church. Without that, the Bible is not a certain basis for one's religion.

Paul Whitcomb has written an intensely personal book. The pronoun "I" is found many times on every page. This makes the book unusually interesting. However, this is not primarily the story of his conversion, although in demonstrating that the Bible needs a divine authority to interpret it, the book shows how the author came to this conviction.

Father James V. Linden, the Jesuit who wrote *The Catholic Church Invites You,* was born of Catholic parents and educated in the Catholic Church from infancy. His arguments for inviting non-Catholics to return to the unity of the Church are based on history, rather than on Scripture. He quotes from converts as early as St. Paul and as late

as those who are still alive. He shows his knowledge of contemporary non-Catholic religions by addressing chapters to modern Jews, to Lutherans, to Episcopalians, and to other Protestants. Father Linden is much more objective than Mr. Whitcomb. It is only at the end of his book that he refers to himself. And then, only to say that he was originally a Catholic because he was born of Catholic parents, but that he remains in the Catholic Church only because, having examined its claims, he is convinced that it is the one true Church founded by Jesus Christ.

Both of these books are recommended not only for prospective converts, but also for "cradle Catholics"—to strengthen their faith, and to enable them to help sincere inquirers find the truth which they so earnestly seek. Neither book is long or dull. *Confessions of a Roman Catholic* has a paper cover, and could be given away. The hard cover on Father Linden's book makes it more expensive.

WILBUR F. WHEELER

Books Received

THE RELIGIOUS ORDERS IN ENGLAND. Volume III. The Tudor Age. by Dom David Knowles. Cambridge: At the University Press, 1959. Pp. xiv + 522. $10.00.

SCHOOLS AND THE MEANS OF EDUCATION. By Willis D. Nutting. Notre Dame, Indiana: Fides Publishers Association, 1959. Pp. 126. $2.95.

MODERN CATHOLICISM. By Walter von Leowenich. Translated by Reginald H. Fuller. New York: St. Martin's Press, Inc., 1959. Pp. viii + 379. $9.00.

A GUIDE TO AMERICAN CATHOLIC HISTORY. By John Tracy Ellis. Milwaukee: The Bruce Publishing Company, 1959. Pp. ix + 147. $2.50.

THEIR RIGHTS AND LIBERTIES. THE BEGINNINGS OF RELIGIOUS AND POLITICAL FREEDOM IN MARYLAND. By Thomas O'Brien Hanley, S.J. Westminster, Maryland: The Newman Press, 1959. Pp. xv + 142. $2.75.

MEDITATIONS ON THE MYSTERY OF CHRISTMAS. By Charles A. Ramm. Edited by Sister Catherine Marie Lilly, O.P. Palo Alto, California: Pacific Books, 1959. Pp. 76. $3.00.

CARDINAL NEWMAN AS AN HISTORIAN. By Thomas S. Bokenkotter. Louvain, Belgium: Bibliothèque de l'Université, 1959. Pp. x + 156. 150 Belgian Francs.

CATHOLIC REFORMER. A Life of St. Cajetan of Thiene. By Paul H. Hallett. Westminster, Maryland: The Newman Press, 1959. Pp. ix + 222. $3.75.

THE PRECIOUS BLOOD, OR THE PRICE OF OUR SALVATION. By Frederick William Faber. New Edition. Philadelphia: The Peter Reilly Co., 1959. Pp. 278. $3.95.

EMPEROR MICHAEL PALEOLOGUS AND THE WEST, 1258-1282. A STUDY IN BYZANTINE-LATIN RELATIONS. By Deno John Geanakoplos. Cambridge, Massachusetts: Harvard University Press, 1959. Pp. xiii + 434. $7.50.

MEDITATIONS ON THE OLD TESTAMENT. THE NARRATIVES. By Gaston Brillet, C.Or. Translated by Kathryn Sullivan, R.S.C.J. New York: Desclee Company, 1959. Pp. 239. $3.50.

CEREMONIES FOR CONFIRMATION AND EPISCOPAL VISITATION. Edited by Walter Schmitz, S.S. Washington: The Catholic University of America Press, 1959. Pp. 46. 65¢.

WITH ALL DEVOTEDNESS. CHRONICLES OF THE SISTERS OF ST. AGNES, FOND DU LAC, WISCONSIN. By Sister M. Vera Naber, C.S.A. New York: P. J. Kenedy & Sons, 1959. Pp. 312. No price given.

VOIE RACCOURCIE DE L'AMOUR DIVIN. Textes recueillis, traduits et mis en ordre par le P. Martial Lekeux, Franciscain. Paris: P. Lethielleux, 1959. Pp. 263. 870 French francs.

MANUALE DI STORIA LITURGICA. Vol. IV. I SACRAMENTI—I SACRAMENTALI—INDICE GENERALE DELL'OPERA. Seconda edizione corretta ed ampliata. By Mario Righetti. Milan: Editrice Ancora, 1959. Pp. xix + 686. No price given.

ATHLETE OF CHRIST. ST. NICHOLAS OF FLUE, 1417-1487. By Marie McSwigan. Westminster, Maryland: The Newman Press, 1959. Pp. 179. $3.25.

CHRISTIAN MARRIAGE. By Jean de Fabrègues. Translated from the French by Rosemary Haughton. New York: Hawthorn Books, 1959. This is n. 54 of the *Twentieth Century Encyclopedia of Catholicism*.

PROTESTANTISM. By Georges Tavard. Translated from the French by Rachel Attwater. New York: Hawthorn Books, 1959. This is n. 137 of the *Twentieth Century Encyclopedia of Catholicism*.

PRINCIPES DE MORALE CHRETIENNE. By Marc Trémeau, O.P. Paris: P. Lethielleux, 1959. Pp. 302. 900 French francs.

THE PRAYER OF CHRIST ACCORDING TO THE TEACHING OF ST. THOMAS AQUINAS. By M. Vianney Wolfer, O.C.S.O. Washington: The Catholic University of America Press, 1958. Pp. 64. 75¢. This is an abstract of a doctoral dissertation.

THE MORAL PROBLEMS OF THE THEATRE. By Ignatius W. Butler, T.O.R. Washington: The Catholic University of America Press, 1958. Pp. 155. $1.75. This is an abstract of a dissertation.

THE CANONICO-JURIDICAL STATUS OF A COMMUNIST. By Richard J. Murphy, O.M.I. Washington: The Catholic University of America Press, 1959. Pp. xi + 186. $2.00. This is a canon law doctoral dissertation.

THE CONCEPT OF PUBLIC ORDER. By John Henry Hackett. Washington: The Catholic University of America Press, 1959. Pp. 101. $2.00. This is a canon law doctoral dissertation.

TERTULLIAN. DISCIPLINARY, MORAL AND ASCETICAL WORKS. Translated by Rudolph Arbesmann, O.S.A., Sister Emily Joseph Daly, C.S.J., and Edwin A. Quain, S.J. New York: Fathers of the Church, Inc., 1959. Pp. 323. No price given.

THE DEFINITION OF SACRAMENT ACCORDING TO SAINT THOMAS. By Peter B. Garland. Ottawa: The University of Ottawa Press, 1959. Pp. 115. No price given. This is a doctoral dissertation from the Roman Angelico.

A GUIDE TO READING THE BIBLE. THE PLAN OF GOD. Part I. God Begins. By Daniel E. Lupton. Chicago: ACTA Publications, 1959. Pp. 95. 75¢.

SITIO. MEDITATIONS FOR PRIESTS. By Giuseppe Tomaselli, S.D.B. Translated by Thomas J. Donnelly. Edited by Raphael M. Huber, O.F.M.Conv. Rensselaer, N. Y.: St. Anthony on Hudson, 1959. $1.00.